



U.S. Department of Justice

Executive Office for Immigration Review

Office of the Chief Immigration Judge

Chief Immigration Judge

5107 Leesburg Pike, Suite 2500
Falls Church, Virginia 22041

August 14, 2003

MEMORANDUM

TO: All Deputy Chief Immigration Judges
All Assistant Chief Immigration Judges
All Immigration Judges
All Court Administrators
All Support Personnel

FROM: Office of the Chief Immigration Judge

SUBJECT: Operating Policies and Procedures Memorandum No. 03-05: Scheduling Leave, Approval of Leave Requests, and Time & Attendance Reports for Court Personnel

Attached is a copy of the new Operating Policies and Procedures Memorandum (OPPM) No. 03-05: Scheduling Leave, Approval of Leave Requests, and Time & Attendance Reports for Court Personnel, which replaces OPPM 98-04, dated August 27, 1998. OPPM 03-05 specifically amends OPPM 98-04 to incorporate the requirement that all requests for approval of advanced leave, must be sought from the Chief Immigration Judge, per the procedures established in the May 6, 1999 memorandum to all OCIJ Supervisors. In addition, time and attendance (T&A) reporting procedures were updated to reflect changes resulting from the implementation of the STAR (System for Time and Attendance Reporting) and that all Immigration Courts currently key their own T&As. These changes are outlined below:

Section IV. Other Categories of Leave - A. Requests

Requests for advanced leave must contain a certification from the immediate supervisor that:

1. the amount of leave requested does not exceed allowable limits (i.e., does not exceed 240 hours of sick leave; or, does not exceed the amount of annual leave the employee will be expected to earn through the remainder of the leave year, taking into account periods of LWOP, when no leave is earned);

2. appropriate documentation is included in support of the request (e.g., if for sick leave, a statement from a physician certifying to the medical condition and expected duration of the absence);
3. the request has been discussed with the employee and they have been made aware that there is no entitlement to the requested leave advance, and reminded of the obligation to return to duty and earn back the full amount of advance leave as may be granted; and
4. the organization will benefit from granting this employee's request (e.g., will be able to retain a valued employee).

Section IV. Other Categories of Leave - B. Approval

Approval for the use of advanced leave, both sick and annual, must be sought from the Chief Immigration Judge for all court and OCIJ personnel. This also pertains to leave requests from employees who currently have negative leave balance(s) from a previous leave advance, since an additional grant of leave in the category with the negative balance would constitute another leave advance.

Section V. Time and Attendance Reports - A. Immigration Judges

STAR now used in place of the PC-TARE System.

Section VI of OPPM 98-04 was deleted because all Immigration Courts now key their own Time and Attendance rather than the Human Resources Staff.

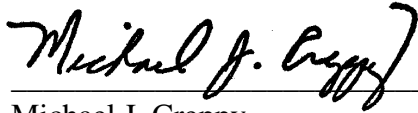
Section VI. Time and Attendance Confirmation Report

The Human Resources Staff forwards T&A audit reports to the Court Administrators rather than to the appropriate ACIJ.

Section VII. Leave Reports

The ACIJ and Court Administrators will receive a bi-weekly (each pay period) leave balance report for all Immigration Judges and other Immigration Court Staff rather than a monthly report.

Should you have any questions concerning these changes to the procedures for scheduling leave, approval of leave requests, and time & attendance reports for court personnel, please contact Mr. John Summers, Executive Officer, at (703) 305-1729.

A handwritten signature in black ink, reading "Michael J. Creppy". The signature is written in a cursive style and is positioned above a horizontal line.

Michael J. Creppy
Chief Immigration Judge

Attachment

cc: Kevin D. Rooney
Larry D'Elia
Samantha Matus



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FROM: Office of the Chief Immigration Judge

SUBJECT: Operating Policy and Procedure Memorandum No. 03-05: Scheduling Leave,
Approval of Leave Requests, and Time & Attendance Reports for Court Personnel

This Operating Policy and Procedure Memorandum (OPPM) cancels OPPM 98-04, dated August 27, 1998.

I. Requests for Leave:

A. Request from Immigration Judges:

Leave requests from Immigration Judges are to be submitted to the Assistant Chief Immigration Judge (ACIJ) according to leave submission schedules set by each ACIJ. Among the factors that will be considered in setting the schedule for submitting leave requests are how far out calendars are in individual courts, details, IHP schedules, conferences, and holidays.

B. Requests from All Other Personnel:

All other personnel may submit leave requests to their immediate supervisors at any time during the year unless directed otherwise by the supervisor.

II. Requests for Emergency Annual and Sick Leave:

A. Requests from Immigration Judges:

All Judges who are unable to report for duty because of personal emergencies should notify the Court Administrator, who will notify the ACIJ. At or before the beginning of the next regularly scheduled duty day, the Judge should submit a request for leave to the ACIJ. If the personal emergency is expected to last longer than one day, the Judge should personally contact the ACIJ for approval. Until the ACIJ is notified of the extended emergency, approval cannot be granted and the Judge will be considered absent without leave (AWOL).

B. Requests from All Other Personnel:

All other personnel who are unable to report for duty because of a personal emergency should notify their immediate supervisor. At or before the beginning of the next regularly scheduled duty day, the employee should submit a request for leave to his/her supervisor.

Note: As a condition of granting emergency leave, the approving official may require the employee to submit certain documentation in support of the request for leave.

III. Approval of Annual and Sick Leave:

A Request for Leave or Approved Absence, SF-71, an electronic version of the SF-71, or an e-mail must be submitted for all leave.

A. All Immigration Judges, Judicial Law Clerks, and All Court Administrators:

Approval for all annual and foreseeable sick leave must be granted in advance by the ACIJ.

B. All Other Personnel:

All annual and foreseeable sick leave must be granted in advance by the immediate supervisor.

IV. Other Categories of Leave

A. Requests:

Requests for administrative leave, advanced leave, compensatory time, or leave without pay (LWOP), may be submitted at any time to the immediate supervisor; however, extended LWOP or extended advanced leave should be requested as far in advance of the requested period as possible. All requests must be in compliance with [DOJ Order 1630.1B](#).

Requests for advanced leave (which must be approved by the Chief Immigration Judge) must contain a certification from the immediate supervisor that:

- 1) the amount of leave requested does not exceed allowable limits (i.e., does not exceed 240 hours of sick leave; or, does not exceed the amount of annual leave the employee will be expected to earn through the remainder of the leave year, taking into account periods of LWOP, when no leave is earned);
- 2) appropriate documentation is included in support of the request (e.g., if for sick leave, a statement from a physician certifying to the medical condition and expected duration of the absence);
- 3) the request has been discussed with the employee and they have been made aware that there is no entitlement to the requested leave advance, and reminded of the obligation to return to duty and earn back the full amount of advance leave as may be granted; and
- 4) the organization will benefit from granting this employee's request (e.g., will be able to retain a valued employee).

B. Approval:

Approval for the use of administrative leave, compensatory time, or extended LWOP must be sought from the ACIJ for Immigration Judges, JLCs and Court Administrators; or from the Court Administrator for all other court personnel.

Approval for the use of advanced leave, both sick or annual, must be sought from the Chief Immigration Judge for all court and OCIJ personnel. This also pertains to leave requests from employees who currently have negative leave balance(s) from a previous leave advance, since an additional grant of leave in the category with the negative balance would constitute another leave advance.

V. Time and Attendance Reports

Time and Attendance (T&A) Reports will be approved as follows:

A. Immigration Judges:

T&A Reports will be generated from the System for Time and Attendance Reporting (STAR) and signed by the Court Administrator, based on the leave requests previously approved by the ACIJ.

B. Court Administrators:

Court Administrators will forward their own T&A Report to their ACIJ for signature/approval. The ACIJ will return the T&A Report to the timekeeper.

C. All Other Personnel:

Time and Attendance Reports will be signed by the immediate supervisor.

VI. Time and Attendance Confirmation Report (For courts with authority to key T&As)

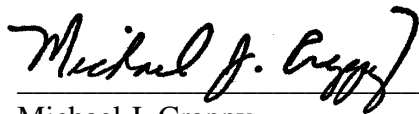
Every Monday, following the end of the pay period, a T&A audit (PC-TARE Batch Confirmation Report) report will be generated from the payroll/personnel database, to show employees actual hours and leave used. The report is used to verify that pre-approved leave, overtime, and compensatory time is what was actually transmitted to the National Finance Center, and paid against. The Human Resources Staff will generate the T&A audit report and forward it to for each Court Administrator.

The Court Administrator shall review, approve, and sign the audit report for Immigration Judges and all other Court Personnel.

The report is to be maintained by the Immigration Court timekeeper.

VII. Leave Report:

The ACIJ and Court Administrator will receive a bi-weekly (Pay Period) leave balance report, from the Human Resources Staff, which will reflect leave usage and leave balances for all Immigration Judges and other Immigration Court Staff.



Michael J. Creppy
Chief Immigration Judge