

New Article 14

Old Article 19

Excused Absence

19.1 Public Elections

When the public election polls are not open at least 3 hours either before or after an employee's regular hours of work, the employee will be authorized an amount of excused absence which will permit him or her to report for work up to 3 hours after the polls open or leave work up to 3 hours before the polls close, whichever requires the lesser amount of time off.

19.2 Office Closure **Notification**

The NRC agrees that whenever it becomes necessary to close any office because of inclement weather or any other emergency conditions and to grant excused absence to those who are excused because of the emergency, the Agency will clearly indicate this on its public website. Reasonable efforts will also be made to inform all employees by private or public media. In the absence of any specific notice on the NRC website, employees may follow the policy identified on the OPM website. If the Executive Director for Operations or a Regional Administrator closes an office or building, the NRC will grant the appropriate amount of excused absence for employees, except essential personnel when necessary, in that office or building, in accordance with existing Agency policy.

19.3 Excused Absences for Weather or Other Commuting Delays

19.3.1 If inclement weather, emergency conditions, or unanticipated short-term commuting delays (e.g., unanticipated interruption of public transportation) within the commuting area of the office or duty station (including a temporary duty station), which has a general adverse effect upon commuting, prevents an employee from getting to work on time when the office or duty station is not closed, the employee will be excused for absences of up to 2 hours if the employee made reasonable continuing efforts to reach the office or duty station by the available means of transportation.

19.3.2 If the employee will be more than 2 hours late, the employee must call the office or duty station and notify his/her supervisor or designee of the efforts made and/or of the efforts which will be made to get to work. Requests for excused absences of up to and including 2 hours will be submitted to the employee's supervisor. Requests for excused absences of more than 2 hours will be submitted to the Director, Office of Human Resources, or the appropriate Regional Administrator.

19.3.3 Employees will not be provided excused absence under this section for any part of a day on which the employee does not report for duty at all during that day. If the employee is unable to arrive at their office or duty station, they may request appropriate leave for that day.

~~19.3.4~~

~~The provision for excused absence as specified in 19.3.1 and 19.3.2 above also applies to employees assigned to a temporary duty location. The conditions to be considered are those at the temporary duty location.~~

~~19.3.419.3.5~~ This section does not preclude Office Directors, Regional Administrators, or other Agency officials, from otherwise exercising their authority to grant excused absence pursuant to applicable Agency policy ~~and OPM direction.~~

~~19.4—Office Closure Authority~~

~~If inclement weather or any other emergency conditions cause the Executive Director for Operations or a Regional Administrator to close an office or station, the NRC will grant the appropriate amount of excused absence for employees, except essential personnel in that office, for the remainder of their administrative workday.~~

~~19.5—Union Recommendation for Office Closure~~

~~The Union may communicate with the Chief, Organization and Labor Relations, in Headquarters, and the Administrative Officers in each Regional Office for the purpose of making the Union's views known when the conditions described in Section 19.4 exist. These officials will consider the Union's recommendations regarding the decisions to close an office.~~

~~19.6—Media Used~~

~~During the first full pay period in November of each year, the NRC will issue a notice to each employee identifying which media services will carry information concerning inclement weather and emergency situations.~~

~~19.47~~ Blood Donation

~~Absent an interference with Agency work, A~~an employee ~~who donates blood to the NRC's blood donation program~~ will be excused for absence in order to donate blood for a maximum of 4 hours without charge to leave. This period of time should cover the time spent in donating the blood and the period of recuperation which follows the donation, and may be extended as the situation warrants.

19.5 Bone Marrow or Organ Donation

An employee is entitled to excused absence each calendar year of up to seven days to serve as a bone marrow donor and thirty days to serve as an organ donor. The excused absence will not affect pay, leave to which otherwise entitled, credit for time or service, or a performance rating. The length of absence for such purposes will vary depending upon the medical circumstances of each case. Administratively acceptable documentation, such as certification from the employee or medical certification from the doctor or hospital, is required.

19.68 Occasional Tardiness

Occasional tardiness of one hour or less beyond the employee's normal starting time or beyond the time that the employee would normally report back from his/her lunch break or period of approved absence may be excused by the supervisor based upon acceptable circumstances. ~~acceptable to a reasonable person.~~ When tardiness is not excused, the supervisor shall permit the employee to take appropriate leave and/or allow the employee, if practicable, to make up the period of tardiness by working later on the workday he/she was tardy. The period of tardiness made up by working later in the workday can be in any increment, not necessarily limited to 15-minute increments, since time and attendance data entry is not required.

This section does not apply to an employee to whom a leave requirements letter has been issued. This section does not waive management's right to charge AWOL and/or take disciplinary action regarding tardiness when an employee's timely presence is required due to a regular or specific assignment, duty, or responsibility or their tardiness is considered beyond occasional. If the employee's request to make up a period of tardiness is denied, he or she will be notified before the Agency charges the employee as being Absent Without Leave (AWOL).

~~The parties recognize the difficulty in defining or quantifying "occasional." Suffice it to say that "infrequent," "now and then," "intermittent" and "every so often" are terms that come to mind. The employee will be notified of any charge of AWOL as soon as practicable.~~

19.79 Professional Activities

An employee, engaged in NRC activities where a professional or technical certification would be in the interest of NRC, may be authorized by the supervisor when permitted by the individual's workload, an excused absence to take the examination. Absences will be limited to the actual time required, but not to exceed a total of 3 workdays. An employee may also be granted an excused absence to attend to matters which are prerequisites to receiving such a professional or technical certification, e.g., swearing in ceremonies or personal interviews before a professional licensing committee. Examples of such examinations include, but are not limited to, the CPA examination, professional engineer examination, and the bar examination.

[19.10 Privately Owned Vehicle – MOVE to Article 35, Travel:

When an employee is delayed while in official travel status by reason of the breakdown of a privately owned vehicle, the use of which was determined to be advantageous to the Government, his/her per diem allowances will not be reduced and the period of delay will not be charged to leave if the period of delay was reasonable and the traveler's action following the breakdown accords with administrative instructions or was administratively approved.]