

Leave Policy from VISTA Campus, Chapter 9 (as of 7/11/2017)

Leave type	Total Workdays	Conditions
National holiday	Only those followed by sponsor staff	
Personal	10 workdays in a full year of service	Generally, leave in first 3 months or last month is limited to emergencies and family matters. If you reenroll you are entitled to any personal leave earned in the prior term of service.
Personal in an extension of service	1 workday per 30 additional days of service	You are entitled to any unused personal leave earned in the prior term or service.
Medical	10 workdays in a full year of service	If you reenroll you are entitled to any medical leave earned in the prior term of service.
Medical in an extension of service	1 workday per 30 additional days of service	You are entitled to any unused medical leave earned in the prior term or service.
Extended Medical Leave Benefits	Must use personal and medical first 5 workdays in a full year of service	The CNCS program director in the state where you service may approve an additional 5 workdays for a total of 15 medical workdays in a full year of service, in cases that require extended recuperation.
Parental Leave (birth/adoption)	Use personal and medical	The CNCS program director in the state where you service may approve an additional 10 workdays, for a total of 30 workdays, if required.
Emergency	5 workdays	Sponsor may allow if: natural disaster requires leaving the site; immediate family member becomes critically ill or dies. Sponsor must notify the CNCS state program director.
Jury duty	As necessary	
Military reserve	As required by the military	
Deferral of service for compelling personal circumstances	As necessary within parameters of compelling personal circumstances	If you are away from service for less than one year for personal compelling circumstances, reinstatement is allowed.

(see additional guidance below)

NATIONAL HOLIDAYS

AmeriCorps VISTA members enjoy the national holidays that are recognized by their sponsoring organization and are given as time off to the rest of the organization's personnel. Members do not get federal holidays that are not recognized by their sponsoring organization. For example, if your organization does not give its staff a holiday for Veterans Day, you are also expected to work unless you request and receive approval for one day of personal leave. Additionally, if you want the day off for a religious observance, you should request a day of personal leave.

If your sponsoring organization provides its staff additional "floating holidays," "spring breaks," "summer recesses," etc., you are expected to continue to serve on your assignment unless authorized to take the time off as part of your personal leave. Your work plan should spell out the assignments expected of you during these periods. If it does not, consult with your supervisor.

PERSONAL LEAVE

You are entitled to 10 workdays of personal leave during each full year of service. A workday is equivalent to the number of hours your sponsoring organization considers a typical full day of work. If you reenroll, you are entitled to any unused personal leave earned in your prior term of service. Members who extend their period of service earn one day of personal leave for every 30 days of the extension.

You must request and receive approval in advance from the sponsoring organization/supervisor for all personal leave, specifying the dates of leave requested.

During personal leave, all regular member allowances are continued. CNCS does not pay travel expenses for personal leave.

MEDICAL LEAVE

AmeriCorps VISTA members are entitled to 10 workdays of medical leave during each full year of service for illness, injury, or medical appointments. If you reenroll, you are entitled to any unused medical leave earned in your prior term of service. Members who extend their period of service earn one day of medical leave for every 30 days of the extension. A workday is equivalent to the number of hours your sponsoring organization considers a typical full day of work. Partial days of medical leave also may be granted to the member. All living allowances continue during medical leave periods.

You are required to request prior approval for medical leave, except for extenuating circumstances when you are physically unable to request prior approval, from the sponsoring organization or supervisor. You should also specify the hours or dates of leave requested.

The AmeriCorps VISTA sponsoring organization or supervisor must notify the Corporation State Office Director immediately if it appears that you will not be able to resume project duties within the maximum medical leave period of 10 workdays. The Corporation State Office Director may approve an extension of your medical leave for up to another five workdays in cases of extended recuperation in which you are likely to return to the project within the approved leave period or in the event of undue delay in obtaining a diagnosis of your medical condition.

PARENTAL LEAVE

AmeriCorps VISTA members are entitled to use a combination of medical and personal leave (20 workdays) for parental leave. The Corporation State Office Director may approve an extension of up to 10 workdays, for a total of 30 workdays, if required.

EMERGENCY LEAVE

The sponsoring organization may grant you up to five workdays of emergency leave. Emergency leave is granted in two types of situations. First, it is granted if you serve in an area where a natural disaster occurs and requires you to leave the area temporarily. Second, emergency leave is granted if an immediate family member (spouse, domestic partner, parent, sibling, child, grandparent, or guardian) becomes critically ill or dies. Additional time away from the project requires the approval of the Corporation State Office Director. Emergency leave does not count against your personal leave time.

If circumstances require you to take emergency leave, you should notify the sponsoring organization or supervisor at once and, if requested, provide the sponsoring organization or supervisor with some evidence of the emergency. If the sponsoring organization determines that an emergency exists, the sponsoring organization will inform the Corporation State Office.

If travel is required, AmeriCorps VISTA will pay for the fastest regularly scheduled means of transportation to and from the site of the emergency or to your home of record, provided the destination is in the United States or a U.S. territory. In exceptional circumstances, members may have to purchase their own tickets, which will be reimbursed at the lowest commercial bus or train fare available. In circumstances where air travel is the only option, tickets may be reimbursed at the lowest commercial air fare available. You will be reimbursed for actual travel expenses (e.g., tolls, parking), but you will receive no additional allowances for your travel.

In the event that the Corporation cannot pay for or provide a prepaid ticket in advance of the approved emergency leave, the sponsoring organization should furnish the needed travel assistance. This assistance would include advancing up to \$500 from the sponsoring organization's own funds to you, if approved in the Memorandum of Agreement between the sponsoring organization and the Corporation.

Such advances, however, should be authorized (by telephone) by the Corporation State Office. Both the sponsoring organization and the member must complete and sign the AmeriCorps VISTA Miscellaneous Obligation (MO) & Payment Voucher Form to record receipt of any emergency travel advance provided by the Corporation State Office. The form is then forwarded to the Corporation State Office for processing so that the sponsoring organization is reimbursed for the advance.

During emergency leave all regular member allowances continue. If an emergency leave extends beyond 10 workdays, all allowances, including the accrual of the end-of-service stipend or education award, may be discontinued by the Corporation State Office until you return to the project. When you return from emergency leave, you must notify the sponsoring organization/supervisor, who will notify the Corporation State Office Director.

JURY DUTY

AmeriCorps VISTA members are subject to jury duty. Sponsoring organizations shall give members the necessary time away from project duties to comply with a jury duty summons or serve on a jury. Allowances will be paid during the period of jury duty. Your time on jury duty is not counted against your personal leave, term of service, or education award. If you are subpoenaed (for non-project-related purposes), however, you are required to use personal leave.

MILITARY RESERVE LEAVE

If you enter AmeriCorps VISTA service before completing a military reserve obligation, you must change the location of your reserve unit if necessary. AmeriCorps VISTA members should try to minimize the disruption in AmeriCorps VISTA service as a result of discharging responsibilities related to their reservist duties. If you are allowed to choose when to fulfill your annual two weeks of active duty requirement, you should choose a period that does not disrupt your AmeriCorps VISTA service.

A member is granted military reserve leave to attend the monthly reserve training sessions and the two weeks of active duty training. Such leave does not count against a member's personal leave, term of service, end-of-service stipend, or education award. You should notify the sponsoring organization/supervisor before taking military reserve leave and upon returning from such leave. You may not receive time off for active duty or other reserve-related service beyond the two weeks and the monthly training activities usually required for reserve status. Any other reserve-related service does not apply to your AmeriCorps VISTA service time for purposes of the education award. The sponsoring organization/supervisor notifies the Corporation State Office of the exact dates of your military reserve leave.

For reserve-related service beyond the two weeks and monthly training activities, the member should be placed in Deferred Term status.

FAMILY MEDICAL LEAVE ACT

The [Family Medical Leave Act \(FMLA\)](#) is a federal law that provides certain employees in the United States with up to 12 weeks of unpaid leave per year to care for a cover family member and up to 26 six weeks of unpaid leave per year to care for a [covered armed service member](#). The Serve America Act Amendments to the National Community Service Act of 1990 extended FMLA protections to certain AmeriCorps and VISTA members.

In the context of the VISTA program, FMLA is a leave without pay status. A VISTA member who is eligible for and takes "FMLA leave" stays enrolled in the VISTA program, continues to receive healthcare benefits, and stays assigned to a VISTA project while taking the leave, but does not receive living allowance. Further, member benefits and allowances (child care, life insurance, accrual of the VISTA's end-of-service award [i.e., Education Award or end-of-service stipend]) are suspended while on FMLA leave. The VISTA's position at the project where the VISTA had been assigned remains available for when the VISTA returns and cannot be abolished or given to someone else in the VISTA's absence. Upon return to the project, the VISTA's receipt of all VISTA program benefits that were suspended during FMLA leave, including the living allowance, resume.

Applying FMLA to the VISTA program poses complex legal and programmatic issues. When an FMLA question arises, the Corporation State Office must consult with the Corporation's Office of General Counsel in coordination with VISTA HQ. It is necessary to conduct fact-specific analyses, on a case-by-case basis, in order to resolve questions of FMLA eligibility and compliance. The Corporation State Office may request documentation of the need to take FMLA leave.