

# Fact Sheet: Effects of Extended Leave Without Pay (LWOP) (or Other Nonpay Status) or Absent for Uniform Service (AUS) on Federal Benefits and Programs

The table below shows the amount of LWOP, AUS (or other nonpay status) that is creditable service for purposes of determining an employee's entitlement to or eligibility for the following Federal benefits and programs.

Type of Benefit or Program	Creditable Service for determining entitlement or eligibility	
Career tenure	LWOP: Nonpay time in excess of 30 <i>calendar</i> days for each period of absence extends the service date for career tenure by that number of days.	
	AUS: If employee is in an AUS status there is no effect	
Probationary period	LWOP: Nonpay time in excess of 22 <i>workdays</i> extends the probationary period by that number of days.	
	AUS: If employee is in an AUS status there is no effect	
Qualification standards	LWOP: For General Schedule positions, there is no requirement to extend qualifying periods by the amount of nonpay status. Extensions may be required to meet training requirements or ability to perform.	
Time-in-grade requirements (requirements for promotion)	LWOP/AUS: All nonpay status is creditable service.	
Within-grade increases (General Schedule)	<u>Waiting Period for Step</u>	<u>Nonpay Time Allowed</u>
	2-3-4 5-6-7 8-9-10	2 Workweeks (80 hours for full-time) 4 Workweeks (160 hours for fulltime) 6 Workweeks (240 hours for fulltime)
	AUS: If employee is in an AUS status there is no effect	
Within-grade increases (Federal Wage System)	<u>Waiting Period for Step</u>	<u>Nonpay Time Allowed</u>
	2 3 4-5	1 Workweek (40 hours for full-time) 3 Workweeks (120 hours for fulltime) 4 Workweeks (160 hours for fulltime)
	AUS: If employee is in an AUS status there is no effect	
Service computation date (Annual leave accrual)	LWOP: 6 months of nonpay status in a calendar year is creditable service. The service computation date must be adjusted by the amount of nonpay time in excess of 6 months in a calendar year (excess time is added to the employee's service computation date).	
	AUS: If employee is in an AUS status there is no effect	
Accrual of annual and sick leave	LWOP: If nonpay status is for an entire pay period, no annual or sick leave is earned for that pay period. If nonpay time occurs during part of one or more pay periods, the employee continues to earn leave until the nonpay time totals 80 hours. Then leave is reduced by the amount the employee earns during a pay period. At the end of the leave year, any accumulation of nonpay status hours of less than 80 hours is zeroed out so that the accumulation for the next leave year starts at zero.	
	AUS: If employee is in an AUS status the effects are the same.	
Absent for Uniformed Services (AUS)	Nonpay status for employees who are performing service in the uniformed service counts as creditable service for purposes of rights and benefits based on seniority and length of service upon the employee's return to duty.	
Workers' compensation	Nonpay status for employees who have been placed in a nonpay status because of an on-the-job injury with entitlement to injury compensation counts as creditable service for purposes of rights and benefits based on seniority and length of service upon the employee's return to duty.	
Retirement benefits	LWOP: An aggregate nonpay status of 6 months in any calendar year is creditable service. Coverage continues at no cost to the employee while in a nonpay status.	
	AUS: If employee is in an AUS status, a military service deposit must be completed in order for any time in this status to become creditable for the purposes of retirement benefits.	

Type of Benefit or Program	Creditable Service for determining entitlement or eligibility
<p align="center"><b>Health benefits</b></p>	<p><b>LWOP:</b> Employee who begins nonpay status elects to either: (1) terminate the enrollment, or (2) continue it and agree to pay the premium or incur a debt. If employee elects to continue the enrollment, it continues for up to 365 days in nonpay status. Previous periods in nonpay status count toward the 365 days if the employee does not return to duty for at least 4 consecutive months. Employee is responsible for payment of the employee share of the premium. If employee does not make an election to terminate or continue the enrollment, it automatically terminates at the end of the last pay period in which the employee paid premiums.</p>
	<p><b>AUS:</b> If employee is in an AUS <b>Non-Contingency</b> support status they may elect to keep FEHB for up to 24 months. The first 12 months they would pay the normal premiums. The second 12 months they would pay the entire cost of their share, the governments share and a 2% processing fee.</p>
	<p>If employee is in an AUS status in support of a <b>Contingency</b> they may elect to keep FEHB at no cost for up to 24 months.</p>
<p align="center"><b>Life insurance</b></p>	<p><b>LWOP:</b> Coverage continues for 12 consecutive months in a nonpay status without cost to the employee. The nonpay status may be continuous, or it may be broken by a return to duty for periods of less than 4 consecutive months. Premium payments are required if employee is receiving workers' compensation. Coverage is terminated after employee has been in nonpay status for 12 months.</p>
	<p><b>AUS:</b> If an employee is in an AUS status, FEGLI coverage continues at no cost to the employee until nonpay status totals 12 months. The employee may elect to continue FEGLI coverage for an additional 12 months by paying both the employee and agency premiums. Such an election must be made before the end of the first 12 months in nonpay status.</p>
<p align="center"><b>Flexible Spending Account (FSAFEDS)</b></p>	<p><b>LWOP:</b> Incurred eligible health care expenses will not be reimbursed until the employee returns to a pay status and the allotments are successfully restarted. Remaining allotments would be recalculated over the remaining pay periods to match the employee's annual election amount. Eligible dependent care expenses incurred during the nonpay status may be reimbursed up to whatever balance is in the employee's dependent care account, as long as the expenses incurred during the nonpay status allow the employee (or employee's spouse if married) to work, look for work, or attend school full-time. Once dependent care allotments are successfully restarted, remaining allotments would be recalculated over the remaining pay periods to match the employee's annual election amount.</p>
	<p><b>AUS:</b> If employee is in an AUS status they may also elect to accelerate their allotments to continue coverage. This election must be made during the enrollment in the plan.</p>
<p align="center"><b>Federal Long Term Care Insurance Program (FLTCIP)</b></p>	<p><b>LWOP:</b> Coverage continues for as long as premiums are paid. If no premiums are paid for 3 consecutive pay periods, they begin directly billing the enrollee. If no premiums are paid for 2 or fewer pay periods, they will adjust future deduction until the balance is collected. Enrollees should contact Long Term Care Partners at 1-800-582-3337.</p>
	<p><b>AUS:</b> If employee is in an AUS status the effects are the same.</p>
<p align="center"><b>Federal Employees Dental and Vision Insurance (FEDVIP)</b></p>	<p><b>LWOP:</b> Coverage will continue. BENEFEDS will generate a direct bill for past due premiums when no premium is paid for 2 consecutive pay periods. Coverage will continue only if the direct bills are paid timely.</p>
	<p><b>AUS:</b> If employee is in an AUS status the effects are the same.</p>
<p align="center"><b>Thrift Savings Plan (TSP)</b></p>	<p><b>LWOP:</b> Agencies and employees should refer to the <a href="#">TSP website (external link)</a> or contact their agency representative for information. Agency representatives may contact the Federal Retirement Thrift Investment Board at (202) 942-1450 for additional information.</p>
	<p><b>AUS:</b> If employee is in an AUS status the effects are the same.</p>