

**Template: Employee Agreement in Connection with Emergency Paid Leave (EPL) Provided Under Section 4001 of the American Rescue Plan of 2021**

*[to be signed before approval of an employee's first use of EPL]*

I, *[insert employee's name]*, understand that my agency is granting EPL on a conditional basis, subject to the availability of monies in the EPL Fund. I understand that, if the EPL Fund is exhausted before my agency receives reimbursement from the Fund for any use of EPL by me, the affected conditional EPL will be cancelled, and I will be responsible for eliminating the resulting leave debt by taking one or both of the following actions:

- Requesting other paid leave or paid time off (as available to me and as appropriate for the given circumstance under normal leave rules) to substitute for the cancelled EPL—for example: annual leave (including advanced annual leave), sick leave (including advanced sick leave), compensatory time off for overtime work, compensatory time off for travel, credit hours under a flexible work schedule, and any limited amount of administrative leave that my agency may grant me.

**and/or**

- Voluntarily providing monetary reimbursement to the agency to satisfy the overpayment debt resulting from receiving payments for a period of time when I should have been in leave without pay status.

If I do not eliminate the leave debt by substituting other paid leave or paid time off, I agree to make the required monetary reimbursement to the agency that granted conditional EPL and to permit offset of Federal payments (including salary payments) to recover the amount owed. (Note: Any offset of salary payments will be limited to 15 percent of an employee's disposable pay, except in the case of a final check at the time of separation from employment.) However, I reserve the right to challenge the agency decision through any applicable administrative grievance procedure, negotiated grievance procedure, or judicial process and to seek return of any amounts erroneously collected from me.

Employee's Signature \_\_\_\_\_ Date: \_\_\_\_\_

Note: This employee agreement must be filed with an employee's EPL request(s).