

Policy and Procedures for Leave Administration

1. Annual Leave

a. Definition. Approved paid absence from duty to provide for vacation periods or extended leave for rest and recreation, and period of time off for personal or emergency reasons.

b. Accrual. Full-time and part time employees whose appointments are for 90 days or longer are credited with annual leave beginning with the first day of duty after appointment. Leave is accrued based on the length of creditable service, which includes service in the Armed Services and other government service. The rate at which an employee accrues leave is based on his/her years of creditable service and the tour of duty to which assigned. Changes in accrual rates are effective at the beginning of the first pay period following completion of the prescribed period of creditable service.

c. Maximum Accumulation. The maximum accumulation of annual leave that may be carried into a new leave year is 240 hours with the following exceptions:

(1) The maximum accumulation of annual leave that may be carried into a new leave year is 720 hours for individuals serving in a position in the SES;

(2) An employee assigned on Permanent Change of Station (PCS) overseas may accumulate 45 days. That leave ceiling may be retained after assignment to a position with the 30-day accumulation limit until the employee uses more annual leave in a year than he/she earns. The balance carried forward at the end of the leave year becomes the new leave ceiling; or

(3) In addition to the authorized maximum accumulation, restored annual leave may be carried over for a maximum of 2 years. If restored leave is not used with 2 years, the employee forfeits any balance of the restored leave.

d. Scheduling

(1) Management and employees have a mutual responsibility for planning and scheduling annual leave. When employees can be spared from their duties, annual leave will be granted freely. Although the use of annual leave is a right of the employee, the determination of when the leave is to be used is a supervisory decision. Large accumulations of annual leave should be avoided. Normally, employees will not be denied the use of annual leave when they may otherwise be required to forfeit such leave by reason of maximum accumulation or forfeiture rules. Denial of its use will be based on factors that are reasonable and equitable and that do not discriminate against any employee or group of employees. If an employee chooses not to request or use annual leave, forfeited leave will not be restored for later use (see paragraph 4 below). Approval of unscheduled leave will depend on other factors as well, including workload, the established leave schedule, employee attendance or leave issues, and activity needs.

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(2) Supervisors are responsible for approval or disapproval of annual leave requests. TLs may approve leave (if delegated authority by the supervisor) but may not disapprove leave requests. Supervisors/TLs should establish projected leave schedules as early as possible to ensure effective scheduling throughout the year. Leave schedules should be reviewed and modified according to work requirements. Depending on work requirements, supervisors will plan to allow each employee an extended period of leave for rest and relaxation annually to assist in maintaining maximum efficiency and productivity. Supervisors/TLs shall advise employees as soon as possible when leave has been approved or disapproved; when disapproved, supervisors shall also advise employees of the reason.

(3) Employees are responsible for properly requesting leave using OPM Form 71, dated (Jun 2001), or any other documentation that is acceptable to the supervisor/TL. Employees must request annual leave in advance, whenever possible. In the event of an emergency outside of the normal shift, employees should request leave as soon as possible but no later than 2 hours after the start of their assigned work hours or shift, unless circumstances clearly show that a delay in requesting leave was unavoidable. Rotating personnel whose duties require one-to-one relief will request leave prior to the start of their regularly scheduled work hours or shift, except for compelling reasons. In emergency leave situations, the employee must provide an acceptable reason to the supervisor and the expected return to work date. Without a specific return to work date, employees must call in on each succeeding day they are absent to request leave. Failure to properly secure prior approval of an absence as annual leave may warrant a charge of Absent Without Leave (AWOL).

(4) In the event of an exigency for public business requiring a specific employee for a particular project or workday, supervisors may cancel previously scheduled leave. (If the employee is in a use or lose status see paragraph 1.e.). Upon cancellation of previously approved annual leave, the employer is not authorized to reimburse the employee for personal expenses, such as forfeited hotel room deposits, non-refundable airline tickets, etc. Upon request, the supervisor will, however, timely prepare a letter to the appropriate airline agency, hotel, etc., that identifies the reason(s) for cancellation of the leave in an effort to help the employee recover any loss of funds. The supervisor will provide a copy of the letter to the employee. The employee is responsible for delivering/ mailing the letter.

d. Mandatory Leave Approval. An employee who is a member of the National Guard or the Armed Forces Reserves is entitled to use annual leave or Leave Without Pay (LWOP) if the employee has exhausted, or is not entitled to, military leave for reserve or National Guard activities. Documentation of the guard or reserve activities must be provided to the supervisor.

e. Advanced Annual Leave. Supervisors may approve requests for an advance of annual leave not to exceed the amount the employee can reasonably be expected to earn during the balance of the leave year. For employees serving under temporary appointments or those who's retirement is planned, advanced leave may not exceed the amount that can be repaid by accrual before separation. The request for and approval of advance leave must be in writing (see Appendix A) to the supervisor. Once approved, the supervisor or designated official prepares a brief memorandum endorsing the approval and forwards the request to the appropriate office. Note: Advanced annual

leave is considered as a recoverable debt due the United States Government. If an employee is separated before the leave is earned (other than for disability retirement, separation because of disability, or death), the agency may resort to administrative means of recovering the outstanding value of the leave from any pay due, including monies in the employee's retirement fund.)

f. Forfeiture/Restoration of Use-or-Lose Annual Leave

(1) Annual leave in excess of the maximum permissible carryover is automatically forfeited at the end of the leave year. However, forfeited annual leave may be restored to a special account for use within a specified period of time under any of the three conditions enumerated below:

(a) an administrative error caused the forfeiture;

(b) a period of illness interfered with the use of previously scheduled annual leave (the illness/injury must have occurred at such a time in the leave year to prevent the excess annual leave from being rescheduled for use prior to the end of the leave year); or

(c) an exigency of the public business required cancellation or disapproval of use-or-lose leave.

(d) Excess leave should be scheduled and approved in writing no less than 3 pay periods prior to the end of the leave year. Except for an exigency of public business, supervisors shall not disapprove annual leave that will otherwise be lost because of leave accumulation limitations and that cannot be reasonably rescheduled during the remainder of the leave year.

(2) Site Level 1 Competency Leaders, PEOs, and commanding officers are authorized to cancel approved use-or-lose leave based on documented exigencies of the public business. Where the population within a competency exceeds 2,000 at a site, Level 2 Competency Managers may cancel approved use-or-lose leave. Supervisors or TLs believing such a cancellation is necessary must submit a written request to the appropriate manager demonstrating the existence of an exigency of the public business requiring cancellation of leave, the anticipated starting and ending dates of the exigency, and verification that no alternative exists to cancellation of the leave (e.g., assigning other employees to the work, delaying the work until the start of the next leave year, etc.) Cancellation of use-or-lose leave is warranted only when the public exigency exists and no practical alternatives exist.

(3) Employees entitled to restored annual leave shall submit the request via their supervisor to the servicing payroll office. The claim must explain why the leave was forfeited and include administratively acceptable documentation. If an administrative error caused the forfeiture, the claim must document the error and how it caused the forfeiture. If illness/injury caused the forfeiture, the claim must document that the annual leave had been properly scheduled and approved in writing, documentation of the illness or injury (including the date of recovery), and how the illness/injury prevented the employee from rescheduling the forfeited leave prior to the end of the leave year. When an exigency of the public business caused the forfeiture, the claim must contain documentation that the forfeited leave had been scheduled and approved in advance, the

beginning/ending dates of the exigency, the Competency Level 1's/PEO's approval of the cancellation of the annual leave, and an explanation why the leave could not have been rescheduled and used prior to the end of the leave year.

(4) Restored leave will be credited to a separate leave account. With the exception of employees at activities slated for closure or realignment, the employees must schedule and use the restored leave no later than the end of the leave year ending 2 years after the date that:

(a) the annual leave was restored to correct an administrative error;

(b) management terminates the exigency resulting in the forfeiture of leave; or

(c) the employee is recovered from the sickness that caused the forfeiture of leave and able to return to duty. Any restored leave unused at the expiration of the 2 year limit is again forfeited with no further right to restoration.

g. Lump Sum Payment. Upon separation, resignation, transfer or move to a position not under a leave system for which annual leave may be transferred, accumulated and accrued, annual leave will be paid in a lump sum. Lump sum payment may also include restored annual leave provided the date of separation is within the authorized time limit. If, after separation but prior to the time the lump sum payment is made, a former employee is reappointed to a position in the Federal Service subject to a formal leave system, the lump sum payment will be limited to the time the employee was out of the service.

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