



Current as of: 22 Nov 10

## CIVILIAN HR FLIGHT FACT SHEET

### RESTORATION OF FORFEITED ANNUAL LEAVE

**GENERAL PURPOSE:** Annual leave that was forfeited may be considered for restoration due to an exigency of the service, sickness of the employee, or administrative error only if the annual leave was requested, approved, and scheduled in writing before the start of the third biweekly pay period prior to the end of the leave year. **(November 21, 2010)**

**RESTORATION OF ANNUAL LEAVE PROCEDURES:** **Exigency of the Service** - An “exigency” is an urgent event or situation which requires employees who were previously approved and scheduled for annual leave to report to duty. The organizational commander is the approving authority of the exigency.

**EXIGENCY APPROVAL PROCESS:** Approval of an exigency is required in advance of cancellation of leave. In the event of an emergency, this determination must be made as soon after the occurrence of the emergency as possible.

As soon as it is known that leave will be canceled and forfeiture will be unavoidable, the supervisor initiates a letter to the organizational Commander explaining the exigency and requesting approval to cancel the scheduled leave. The supervisor coordinates the letter with the Civilian Human Resources Flight’s Employee Relations Section, 86 FSS/FSPC-B, to ensure that the conditions for restoration in governing directives are met, and that documentation to support the request has been provided. At a minimum the documentation to support the request must contain:

- The beginning and ending dates of the exigency period;
- The dates and number of hours scheduled which must be canceled, and when this leave was scheduled and approved;
- A description of the exigency which shows that it is of such importance that the employee cannot be excused from duty;
- A statement as to why there is no alternative to cancellation of the scheduled leave and why use of the leave cannot be rescheduled during the remainder of the year and;
- Once the organizational Commander renders a decision on the request, it must be coordinated through 86 FSS/FSPC-B to the originating supervisor and transmitted to the employee.

## **REQUESTING PROCEDURES:**

**Exigency of the Service** – When an **exigency** has been approved an employee must immediately provide the documentation listed below after the leave year ends (**January 1, 2011**). The documentation is forwarded to their supervisor who forwards it to 86 FSS/FSPC-B for endorsement.

- A written request for restoration of leave with the approval stating the actual number of hours lost on specific dates that could not be rescheduled, and
- A copy of the approved exigency.

**Sickness of the Employee** – When annual leave was forfeited because of a period of absence due to an **employee's sickness or injury** that occurred late in the leave year or was of such duration that the excess annual leave could not be rescheduled for use before the end of the leave year:

- The employee initiates the request for restoration of annual leave forfeited as a result of sickness as soon as the leave year ends and has the supervisor endorse it to 86 FSS/FSPC-B.
- Employee's request must include medical certification specifying:
  - The beginning and ending dates of the period of illness or incapacity which interfered with the use of the scheduled annual leave;
  - Dates and number of hours of annual leave scheduled which had to be canceled and when this leave was scheduled and approved; and
  - Information as to why canceled annual leave could not be rescheduled before the end of the leave year.

**Administrative Error** - Determinations regarding what constitutes an administrative error are made by 86 FSS/FSPC-B. Advice and assistance may be obtained by contacting your Employee Relations Specialist at DSN 480-7608 or 480-2019.

**RESTORATION APPROVAL PROCESS:** 86 FSS/FSPC-B will review all annual leave restoration requests and, upon determination that the documentation is adequate, will endorse it to the civilian payroll office.

**USING RESTORED LEAVE:** Restored annual leave must be used by the end of the leave year ending two years after:

- The termination date of the exigency that resulted in forfeiture of the annual leave; or
- The date the employee is determined to be recovered and able to return to duty if the leave was forfeited because of sickness; or
- The date of restoration of the annual leave forfeited because of administrative error.

**REFERENCE:** AFI 36-815, *Absence and Leave*