Existing Leave Authorities
Government Codes, California Code of Regulations, and Memorandums of Understanding

Employee Leave-Related Government Code Sections

Miscellaneous & Compensating Time Off (CTO)

Government Code section 19839 - Lump Sum Payment

Government Code section 19840 - Lump Sum Payment Prior to June 9, 1948

Government Code section 19842.5 - Intermittent/Irregular Time Base Vacation and Sick Leave Privileges

Government Code section 19843 - Establish and Adjust Workweek Groups

Government Code section 19844 - Ordered Overtime Compensation

Government Code section 19844.1 - Leave Exclusions for Purposes of Time Worked

Government Code section 19844.5 - ATO – During an Emergency

Government Code section 19845 - FLSA – Overtime

Government Code section 19846 - Workweek – Department of Forestry and Fire Protection

Government Code section 19846.5 - Seasonal Clerk – Franchise Tax Board

Government Code section 19847 - Workweek – Non-Civil Service

Government Code section 19848 - Compensating Time Off – 12 Calendar Months

Government Code section 19849 - Attendance Records

Government Code section 19849.1 - Call Back Time

Government Code section 19849.6 - Leave Upon Transfer

Vacation

Government Code section 19856 - Vacation Accumulation

Government Code section 19856.1 - Qualifying Month for Vacation Credit

Government Code section 19858.1 - Vacation Accruals
Existing Leave Authorities

Government Code section 19858.2 - Hourly Vacation Credit

Annual Leave
Government Code section 19858.3 - Annual Leave Enrollment
Government Code section 19858.4 - Annual Leave Accruals
Government Code section 19858.5 - Annual Leave Accruals – Represented
Government Code section 19858.7 - Election to Use Leave Prior to Retirement

Excluded Employees Leave Program
Government Code section 19996.3 - Personal Leave Program - Excluded

Employee Leave-Related California Code of Regulations Sections

Compensating Time Off
California Code of Regulations, title 2, section 599.700 - Definitions
California Code of Regulations, title 2, section 599.701 - Work Week Group Definitions
California Code of Regulations, title 2, section 599.702 - Authorization Required
California Code of Regulations, title 2, section 599.703 - Work Week Group 4
California Code of Regulations, title 2, section 599.703.1 - Salary Assurance – Excluded Employees
California Code of Regulations, title 2, section 599.704 - Compensable Overtime
California Code of Regulations, title 2, section 599.705 - Compensating Time Off
California Code of Regulations, title 2, section 599.705.1 - Compensating Time Off – Excluded Employees
California Code of Regulations, title 2, section 599.706 - Cash Compensation
California Code of Regulations, title 2, section 599.707 - Transfers
California Code of Regulations, title 2, section 599.708 - Call Back Time
California Code of Regulations, title 2, section 599.710 - Emergency Overtime
Existing Leave Authorities

California Code of Regulations, title 2, section 599.711 - Overtime Compensation During Job Actions

Vacation

California Code of Regulations, title 2, section 599.736 - Records
California Code of Regulations, title 2, section 599.737 - Accumulation - Represented Employees
California Code of Regulations, title 2, section 599.738 - Accumulation - Excluded Employees
California Code of Regulations, title 2, section 599.739 - Credit for Full-Time Employment
California Code of Regulations, title 2, section 599.739.1 - Credit for Full-Time Employment - Excluded Employees
California Code of Regulations, title 2, section 599.742 - Right to Vacation
California Code of Regulations, title 2, section 599.742.1 - Right to Vacation - Non-Represented Employees

Annual Leave

California Code of Regulations, title 2, section 599.752 - Annual Leave Program
California Code of Regulations, title 2, section 599.753 - Annual Leave - Enrollment

Personal Leave Program

California Code of Regulations, title 2, section 599.937 - Personal Leave Program - Excluded Employees
California Code of Regulations, title 2, section 599.937.2 - Personal Leave Credits - Excluded Employees
California Code of Regulations, title 2, section 599.937.3 - Extended Personal Leave - Excluded Employees
California Code of Regulations, title 2, section 599.937.4 - Mandatory Personal Leave - Excluded Employees
Existing Leave Authorities

Miscellaneous Leave Sections

California Code of Regulations, title 2, section 599.744 - Paid Leave Buy-Back - Managerial, Supervisory, Confidential, Excluded, and Related Employees

California Code of Regulations, title 2, section 599.913 - Transfer of Leave Credits

Employee Leave-Related Memorandum of Understanding Sections

Memorandums of Understanding – Represented Employees

California Code of Regulation title 2, section 599.742.1 - Excluded Employees

Vacation/Annual Leave Cap

Bargaining Unit 1, 3, 4, 11, 15, 15, 17, 20, and 21 - section 8.1

Bargaining Unit 2 - section 9.1 and 9.11

Bargaining Unit 5 - section 44 and 46

Bargaining Unit 5 Supervisors/Managers - Government Code section 19849.18

Bargaining Unit 6 - section 10.01 and 10.17

Bargaining Unit 7 - section 9.1 and 9.4

Bargaining Unit 8 - section 10.2 and 10.3

Bargaining Unit 9 - section 5.4 and 5.12

Bargaining Unit 10 - section 3.1 and 3.13

Bargaining Unit 12 - section 10.1 and 10.3

Bargaining Unit 13 - section 9.1 and 9.2

Bargaining Unit 16 - section 9.1 and 9.9

Bargaining Unit 18 - section 6.2 and 6.3

Bargaining Unit 19 - section 9.1 and 9.3

Excluded - Government Code section 19815.4, California Code of Regulation 599.738 and 599.752
Existing Leave Authorities

Compensating Time Off Cap

Bargaining Unit 1, 3, 4, 11, 14, 15, 17, 20, and 21 - section 19.2
Bargaining Unit 2 - section 6.2
Bargaining Unit 5 - section 15 and 30
Bargaining Unit 5 Supervisors/Managers - Government Code section 19849.18
Bargaining Unit 6 - section 11.05
Bargaining Unit 7 - section 7.6
Bargaining Unit 8 - section 8.1 - 8.4
Bargaining Unit 9 - section 8.2
Bargaining Unit 10 - section 2.14 and 7.8
Bargaining Unit 12 - section 7.8
Bargaining Unit 13 - section 7.1
Bargaining Unit 16 - section 7.9
Bargaining Unit 18 - section 5.1
Bargaining Unit 19 - section 6.1
Excluded - 29 U.S. Code § 207, California Code of Regulation 599.705

Furlough

The state’s furlough program ended in 2013. However there continues to be a large amount of furlough balances on the state’s payroll system. Departments must continue to monitor furlough hours per PML 2013-013 and ensure that all accrued furlough hours are exhausted prior to termination, layoff, or separation from state service or instances such as rejection on probation or dismissal. These hours should be used before vacation, annual leave, personal holiday, holiday credit, and compensating time off.