

State of California

M E M O R A N D U M

To: PERSONNEL MANAGEMENT LIAISONS

Date: January 12, 1989
Reference Code: 88-115

THIS MEMORANDUM SHOULD BE DISTRIBUTED TO:

Personnel Officers

From: **Department of Personnel Administration**
Office of the Director

Subject: Adoption of Amendments to Department of Personnel Administration
Regulation Regarding the Annual Leave Program

The Department of Personnel Administration has recently adopted amendments to Regulations 599.752 and 599.753 which concerns the Annual Leave Program for Managerial employees and California Highway Patrol Sergeants. The amendments do the following:

1. Incorporates recent legislation (SB 394, Ch. 754, Stats. of 1988) which increased the vacation accrual rate for nonrepresented employees with 25 or more years of service.
2. Specifies that annual leave must be used in 1 hour increments if not used for sick leave purposes.
3. Provides that employees who elect annual leave but no longer meet the eligibility requirements will remain in the Annual Leave Program.

A copy of the revised regulations is attached for your records. These changes were effective January 1, 1989.

If you have any questions or need additional information, please contact Ann McWherter, Policy Development Office. Her number is (916) 324-9367, (ATSS) 454-9367.



Lillian Rowett
Deputy Director

Attachment

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599.752 is amended to read:

599.752. Annual Leave Program.

(a) Pursuant to Government Code Section 19858.3, eligible employees may voluntarily elect to enroll in the Annual Leave Program to receive annual leave credit in lieu of sick leave and vacation benefits. Such an election is irrevocable unless the employee leaves an eligible category. Statutorily exempt employees who do not accrue sick leave and vacation are not eligible to participate.

Current employees who enroll in annual leave shall have accumulated vacation hours converted to annual leave credits on an hour for hour basis and begin accruing annual leave in accordance with the leave accrual schedule specified in subsection (b). Sick leave credits accumulated in accordance with Rule 599.746 shall continue to be available for approved sick leave purposes.

(b) On the first day following a qualifying monthly pay period, as defined in Rule 599.608, each eligible employee shall be allowed credit for annual leave with pay as follows:

Length of Service	Annual Leave Allowance
1 month through 36 months (3 yrs)	11 hours per month
37 months through 120 months (10 yrs)	15 hours per month
121 months through 180 months (15 yrs)	17 hours per month
181 months through 240 months (20 yrs)	18 hours per month
241 months and over through 300 months (25 yrs)	19 hours per month
<u>301 months and over</u>	<u>20 hours per month</u>

(c) The employee may accumulate the unused portion of annual leave credit, provided that on January 1st of a calendar year, the employee shall not have more than 80 annual leave days.

Except as provided for in Section 599.742.1, exceptions to carry over more than the prescribed maximum will be allowed only when the employee is prevented from taking annual leave because the employee is (1) required to work as a result of fire, flood or other emergency, or (2) absent on full salary for compensable injury. Such exceptions must be approved in advance by the Director of the Department of Personnel Administration.

When verification of prior State service requires revisions in annual leave credits the employee's current accumulation shall be adjusted. Additional credit exceeding the maximum carry-over shall be used within one year following the qualifying monthly pay period in which credited.

(d) Annual leave credits may be used for any approved absence. When annual leave is used for sick leave purposes, the appointing power may require the employee to submit substantiating evidence including, but not limited to, a physician's certificate. If the appointing power does not consider the evidence adequate, the request for the use of annual leave for sick leave may be disapproved. Denials of use of annual leave for sick leave may be appealed to the appointing power. Use of annual leave for sick leave may be in 30 minute increments/ and in one hour increments for other approved absences.

(e) In the event the appointing power does not approve annual leave for employee sufficient to reduce accumulated annual leave to the amount permitted by this section as of January 1, the employee may take, as a matter of right, immediately preceding January 1, the number of days of accumulated annual leave required to reduce such accumulation to the amount permitted by that rule.

(f) Except as herein provided, vacation regulations 599.738-599.741 governing separation from State service without fault; credit for part-time and intermittent employment; and credit for employees returning to State service after absence by temporary or permanent separation; computing State service for full-time, part-time, intermittent and employees holding multiple positions; and transfer of accumulated credit shall apply to annual leave.

NOTE: Authority cited: Sections 3517.8, 19815.4(d) and 19816, Government Code. Reference: Sections 19858.3, and 19858.4, Government Code.

599.753 is amended to read:

599.753. Annual Leave—Enrollment

(a) The Department shall provide for at least annual open enrollment periods for eligible employees. Employees must be in an eligible category at the time the election to Annual Leave is made. Enrollment into the program will be effective on the first day of the month following such election. Employees who move in an eligible category as defined in Government Code 19858.3 will be allowed 60 days upon which to elect annual leave.

(b) Employees who no longer meet the eligibility requirement will be returned to the current sick leave/vacation program. Sick leave and vacation credits will begin accruing on the first day of the monthly pay period following loss of eligibility. Existing annual leave credits shall be converted to a vacation accrual bank. Employees whose leave balances exceed the maximum allowed for their respective CBID will be allowed:

(1) A 2 year grace period in which to bring the vacation accumulation within the maximum allowed for the new /BID/ and/or

(2) An opportunity to immediately convert excess vacation leave to sick leave credits at the ratio of 4 hours vacation to 8 hours sick leave.

(c) (b) Annual leave shall be certified by the appointing power upon forms prescribed by the Director of the Department of Personnel Administration.

The appointing power shall keep proper records and schedules of annual leave accumulated and granted and shall make such reports thereof to the Director of the Department of Personnel Administration as may from time to time be required.

Note: Authority cited: Sections 3517.8, 19815.4(d) and 19816, Government Code. Reference: Sections 19858.3, and 19858.4, Government Code.