

DMA Policy: 3-0305

Name: ANNUAL VACATION LEAVE Policy Addendum

Reference: MOM ANNUAL VACATION LEAVE Policy

Approval Signature: 

Effective Date: April 20, 2015

The Department of Military Affairs (DMA) is committed to managing annual vacation time consistent with 2-18-617 MCA and the State of Montana Operations Manual (MOM) Annual Vacation Leave Policy. DMA is committed to ensuring that employees have the opportunity to use earned annual vacation leave.

Each employee may accumulate up to two times the total number of annual leave hours the employee is eligible to earn per year. Hours earned above this number as calculated at the first pay period extending into the new calendar year (the calculation year) are considered excess annual leave hours.

The responsibility for actively managing annual leave has been delegated to the direct supervisor. Supervisory personnel are responsible for providing reasonable opportunity for an employee to use rather than forfeit accumulated vacation leave. If an employee routinely accumulates excess annual leave, the supervisor should consider whether the employee has had opportunity to use annual leave. If the employee has not been able to take annual leave because of workload, the supervisor should review the job duties and consider several points:

- o Determine whether the duties are reasonable or might need restructuring.
- o Determine whether the employee needs training in time management skills or job related skills to accomplish tasks more efficiently or effectively.

Supervisors should watch for buildup of annual leave by an employee. The supervisor should encourage employees to take annual leave during the year so there are not excess annual leave hours built up by the end of the year.

Reporting Excess Annual Leave Balances

DMA Director's Office Payroll will calculate the excess annual leave hours for all employees as of the end of the first pay period extending into the new calendar year. DMA Payroll will provide notification of excess annual leave hours in writing to the affected employees, their direct supervisors and their Division Administrator by January 31 of the calculation year.

The employee must take off all excess annual leave between January 1 and March 31 of the next calendar year or forfeit the excess hours, except when the department head or designee extends the forfeiture deadline of March 31.

Employees are responsible for making a reasonable written request to his/her supervisor to use excess annual leave hours prior to March 31. Reasonable at a minimum would allow sufficient notice to take the excess annual leave time off before the forfeit date. The

supervisor may approve all, some or none of the employee's request by written response within no more than five working days from the receipt of the request. The written response must be provided to the DMA Payroll prior to the March 31 of the calculation year.

An employee may choose to donate excess annual leave hours to the Sick Leave Fund as long as he or she meets the eligibility requirements. See MOM Sick Leave Fund policy.

If the original request is not approved, the supervisor and employee may negotiate alternate leave dates between January 1 and March 31 of the calculation year. If the employee does not submit a reasonable written request prior to March 31 for use of the excess annual leave hours, the excess annual leave hours are forfeited as of March 31.

If the employee receives approval for a reasonable written request to use excess annual leave hours by March 31 but chooses not to use all excess annual leave hours, any remaining excess annual leave hours are forfeited on March 31. The deadline for forfeiture may be extended to December 31 based upon intervening factors that are not under the control of the employee, such as illness or significant changes in the employee's workload, that affect the employee's ability to use the time as planned. In this case, the supervisor will submit an amended plan to the DMA Payroll showing that use of the excess annual leave time was denied and the reason which was beyond the control of the employee. The length of this extension is up to the discretion of the supervisor, and may not exceed December 31 of the calculation year. The employee must prepare a written plan to use all remaining excess annual leave hours by December 31 of the calculation year and the form must be provided to DMA Payroll no later than March 31 of the calculation year. Any excess annual leave time not taken by December 31 is forfeited.

This policy will be followed unless it conflicts with negotiated labor contracts, which will take precedence to the applicable extent.

Questions concerning this policy shall be directed to your supervisor or the DMA Human Resources Manager.