

For: FAS Overseas Employees

Foreign Service Employees Using Annual Leave to Avoid Forfeiture

Approved by: Administrator



1 Overview

A

Purpose

This notice reminds:

- eligible overseas employees that **annual leave** exceeding their 360-hour maximum carryover will be forfeited if it is not used or donated before the end of pay period 26, January 1, 2000
- noncommissioned employees about **compensatory leave** rules.

2 Eligibility for 360-Hour Annual Leave Ceiling

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Eligibility

To be eligible for the 360-hour maximum carryover of annual leave, U.S. citizen employees must be directly recruited or transferred by the Federal Government from the U.S., Commonwealth of Puerto Rico, or possessions of the U.S. for employment outside their area of recruitment.

B

Not Eligible

U.S. citizens or foreign employees domiciled and recruited overseas are **not** eligible.

Disposal Date	Distribution
February 1, 2000	All FAS Overseas employees

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3 Compensatory Time for Noncommissioned Employees

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Rules

Compensatory leave should be used before annual leave, **except** at the end of the LY when usage would result in forfeiture of annual leave.

B

Time Limit

Compensatory leave must be used within a 16-week period or it is forfeited unless the employee:

- is not exempt from the Fair Labor Standards Act
- request for use of compensatory leave is denied.

Note: In either case, compensatory time would be paid to the employee at their overtime rate of pay.

4 Donating Excess Annual Leave

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Donations

Under the leave transfer program, Federal employees may donate their excess annual leave to Federal employees who have been approved as leave recipients the lesser of the following:

- one-half of their annual leave entitlement for LY 1999
 - the number of scheduled work hours they have remaining in the LY.
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B

Exemptions

Exemptions to the donation limit in subparagraph A may be granted by the leave transfer coordinator in your servicing personnel office, when the recipient being donated to is still in need of leave.

C

Eligible Recipients

For a current list of approved leave recipients, contact either of the following:

- Linda Watkins at 202-418-9038
 - Kim Jones at 202-418-9019.
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5 Using Annual Leave and Compensatory Time

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Supervisory Action

Supervisors shall:

- discuss leave plans with employees who have excess annual leave or expiring compensatory time
 - approve SF-71's submitted for use of excess annual leave and/or compensatory time, when possible
 - advise employee's who are on sick leave, pending approval of disability retirement, to use their excess annual leave or risk forfeiture at the end of the LY.
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B

Employee Action

Employees shall:

- estimate their annual leave balance at the end of LY 1999 and determine whether they have excess annual leave that needs to be used before the end of the LY
- review and determine whether they have any compensatory leave hours that need to be used
- schedule the use of excess annual leave by submitting an SF-71 to their supervisor **no later than November 19, 1999**
- schedule the use of expiring compensatory time.

Important: Employees, whose use of excess annual leave is **denied** or later **canceled** and cannot be rescheduled for use before the end of the LY, shall **retain a copy** of the **canceled SF-71**. This canceled SF-71 is required if an exigency of public business is going to be requested.

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6 Exigency of Public Business

A

Exigency Provisions

Only the FAS Administrator or his designee has the authority to declare an exigency of public business and grant a restoration of annual leave.

B

Exigency Requests

Requests for an exigency shall be made in writing, include justification, and have a copy of the canceled SF-71(s) attached. FAX exigency requests in pay period 1, 2000 to Bill Westman at 202-690-2159. Exigency requests will be:

- reviewed by the Administrator or his designee on a case-by-case basis
- considered for approval when the mission of the Agency cannot be accomplished without canceling the use of excess annual leave
- forwarded, **after approval by FAS**, to the following address or FAX to 202-418-9129:

FFAS-HRD-PMBAB
ATTN: Sally Reed
STOP 0595.

Restoration of forfeited annual leave will take place in pay period 2, 2000 or as soon afterwards as possible.

7 OPM's LY 1999 Y2K Ruling

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Y2K Rule

OPM has issued a Year 2000 (Y2K) regulation affecting those employees working on Y2K computer conversion efforts. The regulation provides that employees, who are unable to use their excess annual leave before the end of the LY as a result of Y2K computer conversion or operational efforts, will be deemed eligible for restoration of their forfeited annual leave.

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Contact

If an eligible overseas employee believes they have or will be affected by OPM's Y2K ruling or have any further questions regarding exigencies, please contact Sally Reed, HRD, PMBAB at 202-418-9032.
