

## ANNUAL LEAVE

**SECTION 1. Right to Annual Leave:** Employees accrue and have a right to use annual leave in accordance with applicable laws and regulations.

### **SECTION 2. Planned Leave Procedures:**

**A. Application:** Employees will apply in advance for approval of anticipated leave. Leave requests, approval or denial will be made electronically using ATAAPS, when available, or the written OPM-71. The leave approving official, normally the supervisor, will respond to all requests for leave in a timely manner. Employees may, upon request and with the approval of their supervisor, change previously authorized annual leave to sick leave in accordance with 5 CFR 630.405.

**B. Time Increments:** Employees may utilize annual leave in 15 minute increments. Annual leave may not be charged in increments of less than 15 minutes.

**C. Consecutive Weeks:** Annual leave will be granted, subject to mission requirements, in a manner, which permits each employee who wishes to take at least two (2) consecutive weeks of annual leave each year. If workload permits, employees may request and supervisors may approve periods of annual leave that exceed two (2) consecutive weeks. If the request is denied, the reasons must be annotated on the ATAAPS/OPM-71. Upon denial, at the employee's request, the employee and supervisor will meet to discuss alternate dates when leave may be rescheduled. The times at which such rescheduled leave is used must be with concurrence of the employee and the Department.

**D. Timeliness of Approval:** Employees will be informed of whether their requests for leave have been approved in a timely manner:

1. For leave requests made to begin the following duty day, the response will be made as soon as possible, but no later than the end of the employee's work shift.
2. For leave requests made to begin less than seven (7) days in the future, the response will be provided no later than 24 hours before the start date.
3. For leave requests that begin more than seven (7) days in the future, the response will be made no later than seven (7) calendar days after the request.

**E. Cancellations:** The Agency retains the right to cancel previously approved leave requests when it is determined that that an employee's presence on duty is required to support mission requirements. Whenever an employee is detailed or administratively reassigned, including in between MTFs, all previously approved leave shall be honored. If there is a conflict of previously approved leave between the incoming/detailed employee and a similarly situated employee in the gaining organization, the conflict shall be resolved in favor of the incoming employee.

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**F. Preservation of Work Schedule:** When an employee requests annual leave in conjunction with scheduled days off at the beginning and/or end of the leave period, the Department will not change the employee's days off except where necessary to meet valid operational needs.

### SECTION 3: PROJECTED LEAVE

**A. Leave Planning:** It is the employee's responsibility to request annual leave in advance. Employees are required to submit leave requests using ATAAPS/OPM Form 71, Request for Leave or Approved Absence. Supervisors will expeditiously inform employees of their approval/disapproval of annual leave requests. Supervisors will make reasonable efforts to schedule and to approve requested annual leave in such a manner throughout the leave year so that no employee forfeits leave at the end of the calendar year. However, it is agreed that it is the employee's responsibility to request use or lose leave in a timely manner in order to preclude end of the year forfeiture.

**B. Peak Periods:** Employees will submit their projected annual leave plan for *June, July and August* by the first day of February of each leave year to identify employees' annual leave desires and to resolve conflicts among employees' annual leave plans. Employees will also submit their projected annual leave plan for the period *15 December to 15 January* by the first day of September of each leave year. Employees should notify management in a timely fashion if their leave plans change throughout the course of the year.

**C. Approval:** Supervisors will review the projected annual leave plans of each of their subordinate employees and inform each employee of their tentative decision regarding the projected leave plans. It is understood that the projected annual leave plan does not constitute final approval of annual leave, but supervisors will make reasonable efforts to accommodate employees' vacation desires consistent with workload and staffing needs.

**D. Conflicts:** Where two or more employees request the same period of annual leave and all cannot be spared, the conflict will be resolved on the following basis:

1. When scheduling conflicts occur, an effort should be made to resolve the conflict between the employees involved.
2. *Peak Period:* any conflict will be resolved to give preference to the employee who had not taken the same period of leave the previous year. Otherwise, such as where no employee had taken peak period leave the previous year, unresolved conflicts will be settled on the basis of seniority, as measured by Service Computation Date (SCD).
3. *Non-Peak Period:* any conflict will be resolved on a first-come, first-served basis. Otherwise, such as where requests are received the same day, approval will be settled on the basis of seniority, as measured by Service Computation Date (SCD).

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### SECTION 3: UNPLANNED LEAVE

**A. Procedures:** When emergencies or unforeseen circumstances arise requiring the use of annual leave that has not been approved in advance, the approval of annual leave cannot be presumed by the employee. If an employee is unable to report for duty and desires to request unscheduled leave.

**B. Notification Process:** The supervisor will provide a method of notification to subordinate employees that clearly sets forth the procedures for requesting unscheduled leave (i.e. phone call, voice mail, text message, email, etc); designating in writing an alternate official who can receive and approve employees unscheduled leave requests in the absence of the immediate supervisor; and the procedure to follow if neither the supervisor or alternate is available. Employees must leave their return contact preference (i.e. phone call, voice mail, text message, email, etc.) for the approving official and the following procedures shall apply:

1. *Non-Shift Employees* will request as soon as possible, but not later than one (1) hour before the beginning of the employee's scheduled tour of duty, unscheduled or emergency leave.
2. *Shift Employees* will request as soon as possible, but not later than one (1) hour prior to the beginning of their scheduled shift, unscheduled or emergency leave.
3. *Shift employees engaged in patient care* must request as soon as possible, but not later than two (2) hours prior to the start of their shift, unscheduled or emergency leave.

**B. Employee Responsibility:** It is understood that merely calling in and requesting leave does not automatically mean an employee's request for unscheduled or emergency leave is approved. It is further understood that it is the employee's responsibility to ensure that he or she speaks with a responsible management official in their supervisory chain to ensure that leave approval has been obtained.

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**D. Denial:** If the leave cannot be granted, the supervisor will notify the employee within two (2) hours of the employee's request that it cannot be granted, or upon the employees return to duty.

1. Approval of unscheduled or emergency leave is at the discretion of the supervisor; therefore, the employee will explain the general nature of the emergency and requested duration of the absence. The supervisor will make a determination on whether or not leave should be granted, and also approve the duration of the leave. If the absence exceeds the original approved duration, the employee will call his or her supervisor to obtain approval for any continued absence.
2. If the supervisor determines the reason for the unscheduled leave request is not bona fide or compelling enough to warrant absence from work and the employee's services are required, the request for leave can be denied. If the request is denied, or the employee does not receive response within two (2) hours, the employee will be given a reasonable amount of time to report to work, depending on the distance to the work site and any other appropriate circumstances. The time missed from the employee's duty day will normally be charged to leave; however, the parties agree that management has the right to grant or deny leave based on the circumstances of a given situation.

**SECTION 4: ADVANCED ANNUAL LEAVE.** Advanced annual leave shall be granted only in accordance with applicable regulations.

**SECTION 5: ANNUAL LEAVE FOR UNION REPRESENTATIVES.** An employee who is a steward or other Union official will be granted annual leave or Leave without Pay ("LWOP") to attend internal Union functions which are not covered by Official Time Article of this CBA. Normally, an advanced notice of 14 workdays will be required and will be approved subject to workload considerations.

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