



Current as of: 26 Oct 16

## CIVILIAN PERSONNEL SECTION FACT SHEET

### RESTORATION OF FORFEITED ANNUAL LEAVE

**GENERAL PURPOSE:** Annual leave which would otherwise be forfeited may be restored when it is lost because of exigencies of the service or sickness of the employee, if use of the leave was scheduled in advance. Leave may also be restored when an administrative error causes the loss of annual leave otherwise accruable. Before forfeited annual leave may be considered for restoration, use of the annual leave must have been requested, approved, and scheduled in writing before the start of the third biweekly pay period before the end of the leave year.

#### EXIGENCY APPROVAL PROCESS:

**Exigency of the Service** - An “exigency” is an urgent event or situation which requires employees who were previously approved and scheduled for annual leave to report to duty. The organizational commander is the approving authority of the exigency.

Approval of an exigency is required in advance of cancellation of leave. In the event of an emergency, this determination must be made as soon after the occurrence of the emergency as possible. As soon as it is known that leave will be canceled and forfeiture will be unavoidable, the supervisor initiates a letter to the organizational Commander explaining the exigency and requesting approval to cancel the scheduled leave. The supervisor coordinates the letter with the Civilian Personnel Flight’s Employee Relations Section, 86 FSS/FSEC, to ensure that the conditions for restoration in governing directives are met, and that documentation to support the request has been provided. At a minimum the documentation to support the request must contain:

- The beginning and ending dates of the exigency period;
- The dates and number of hours scheduled which must be canceled, and when this leave was scheduled and approved;
- A description of the exigency which shows that it is of such importance that the employee cannot be excused from duty;
- A statement as to why there is no alternative to cancellation of the scheduled leave and why use of the leave cannot be rescheduled during the remainder of the year and;
- Once the organizational Commander renders a decision on the request, it must be coordinated through 86 FSS/FSEC to the originating supervisor and transmitted to the employee.

**RESTORATION OF ANNUAL LEAVE PROCEDURES:**

- **Due to Exigency of the Service** – When an **exigency** has been approved an employee must immediately provide the documentation listed below after the leave year ends. The documentation is forwarded to their supervisor who forwards it to 86 FSS/FSEC for endorsement.
  - A written request for restoration of leave stating the actual number of hours lost on specific dates that could not be rescheduled, and;
  - A copy of the approved exigency.
  
- **Due to Sickness of the Employee** – When annual leave was forfeited because of a period of absence due to an **employee's sickness or injury** that occurred late in the leave year or was of such duration that the excess annual leave could not be rescheduled for use before the end of the leave year:
  - The employee initiates the request for restoration of annual leave forfeited as a result of sickness as soon as the leave year ends and has the supervisor endorse it to 86 FSS/FSEC.
  - Employee's request must include:
    - The beginning and ending dates of the period of illness or incapacity which interfered with the use of the scheduled annual leave. Medical certification may be required;
    - Dates and number of hours of annual leave scheduled which had to be canceled and when this leave was scheduled and approved; and
    - Information as to why canceled annual leave could not be rescheduled before end of leave year.
  
- **Due to Administrative Error** - Determinations regarding what constitutes an administrative error are made by 86 FSS/FSEC. Advice and assistance may be obtained by contacting your Employee Relations Specialist at DSN 478-6714.

**RESTORATION APPROVAL PROCESS:** 86 FSS/FSEC will review all annual leave restoration requests and, upon determination that the documentation is adequate, will endorse it to the civilian payroll office which, in turn sends it to DFAS for establishment of a Restored Annual Leave Account, with a copy to the employee.

**USING RESTORED LEAVE:** Restored annual leave must be used by the end of the leave year ending two years after:

- The termination date of the exigency that resulted in forfeiture of the annual leave; or
- The date the employee is determined to be recovered and able to return to duty if the leave was forfeited because of sickness; or
- The date of restoration of the annual leave forfeited because of administrative error.

**REFERENCE:** AFI 36-815, *Absence and Leave*