

Request for Restoration of Forfeited Annual Leave Scenarios

Scenario 1: Partial Restoration of Forfeited Annual Leave Because Employee Used Forms of Leave Other than Annual Leave

Jane earns 8 hours of annual leave each pay period. She began the new leave year with 240 hours/6 weeks of annual leave, and also had 12 hours of travel compensatory time. She expects to take two weeks of annual leave when she and her husband go on a cruise in March; two weeks of annual leave when she and her family go on summer vacation in early June; one week of annual leave in early December, when she goes to visit her mother; and one week of annual leave in late December when her children will be on school break.

When Jane prepares to go on her cruise in March she decides that instead of taking 80 hours of annual leave as originally planned, she will take 68 hours of annual leave, and all 12 hours of her travel compensatory time. She makes this decision because she realizes that if she doesn't use her travel compensatory time soon, she will lose it. Additionally, by the time she is ready to go on summer vacation, she has earned 15 hours of credit time. So, instead of taking 80 hours of annual leave she opts to take 15 hours of credit time, and 65 hours of annual leave. She figures by making this adjustment, she will have a little more use-or-lose leave in December, which will allow her to take some additional time off while her children are on school break. So she submits a request to take additional annual leave in late December and early January, at the end of the leave year.

Unfortunately, the annual leave that Jane had planned for late December and early January had to be canceled since she was the project lead on a time-sensitive, critical initiative and it demanded her immediate attention. An exigency was declared, and management canceled Jane's leave. As a result, she forfeited 67 hours of annual leave, and she applied for leave restoration. Only 40 of the 67 hours of leave could be restored since Jane opted to use 12 hours of travel compensatory time, and 15 hours of credit time earlier in the year, when she could have taken annual leave.

Scenario 2: Request for Restoration of Forfeited Annual Leave is Not Approved Because the Employee Opted Not to Take Scheduled Leave to Meet Important Requirements

John had scheduled the last 30 hours of his use or lose leave to be taken in December. Unfortunately, in December he was coming to a close on a time-sensitive project that he felt he had to personally complete. He used his judgment and continued working on the project, despite his original leave plans. As a result, he only used 5 of the 30 hours of use or lose annual leave.

John submitted a request to have the 25 hours of forfeited annual leave; the request was denied. While John's supervisor appreciated John's dedication, he didn't direct him to work during the period when he had scheduled leave, and given the broad span of his supervisory control, wasn't aware that John was giving up use-or-lose leave until John told him, after the fact.

Had John talked with his supervisor in advance, there would have been an opportunity for the supervisor to consider available options. Perhaps the project deadline could have been adjusted or maybe a co-worker could have assisted John or taken over the project, etc. In this unfortunate situation, the employee could not have his forfeited leave restored.

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Scenario 3: Forfeiture of Annual Leave Because He Overlooked a Holiday

Cyril planned to take 64 hours of use or lose leave in late December and early January, specifically, between December 23, 2018 and January 5, 2019. He entered his annual leave request into WebTA, and his supervisor approved it. It wasn't until he prepared his Pay Period 26 T&A that he realized the problem with his projected leave usage; he had forgotten that he would receive 8 hours of holiday leave for January 1, which meant that he could only use 56 hours of his use or lose annual leave. Therefore, Cyril forfeited 8 hours of annual leave.

Not only do employees need to make sure that they factor holidays into their plans for taking use or lose leave, they also need to remember that there is a possibility of an unscheduled holiday (e.g., the President declares a half-day holiday on Christmas Eve), or office closure (e.g., due to inclement weather) and plan accordingly.