


Approved for Release
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Date

**DEPARTMENT OF COMMERCE
OFFICE OF HUMAN RESOURCES MANAGEMENT**

HUMAN RESOURCES (HR) BULLETIN #082, FY08

SUBJECT: Extending Higher Annual Leave Ceilings for Employees in Senior-Level and Scientific and Professional Positions

EFFECTIVE DATE: April 8, 2008

EXPIRATION DATE: Effective until canceled or superseded

APPENDS: 5 U.S.C. 6304(f)(1) by allowing employees in senior-level (SL) and scientific and professional positions (ST) compensated under 5 U.S.C. 5376 to carryover a higher annual leave ceiling at the start of each new leave year.

BACKGROUND: Enactment of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181, January 28, 2008) resulted in several changes in federal employee pay and leave laws. Section 1112 of the Act allows employees in SL/ST positions to carryover the same annual leave ceiling that applies to members of the Senior Executive Service. This additional leave benefit is designed to assist agencies in recruiting well-qualified, experienced individuals for senior positions.

PURPOSE: The purpose of this HR bulletin is to provide updated policy guidance on annual leave ceilings for employees in SL/ST positions.

COVERAGE: Provisions of this HR bulletin are applicable to employees in SL and ST positions who are compensated under 5 U.S.C. 5376.

POLICY: The maximum amount of annual leave that employees in SL/ST positions are entitled to accumulate and carry forward into a succeeding leave year may not exceed 90 days (720 hours). In accordance with this policy:

1. When an employee moves to an SL/ST position, annual leave accumulated prior to the movement remains to the credit of the employee. However, the annual leave accumulated prior to movement into the SL/ST position that is in excess of the amount allowed under the former position and which is not used by the beginning of the first full biweekly pay period in the next leave year is subject to forfeiture.

2. When an employee serves less than a full biweekly pay period in an SL/ST position, the portion of accrued annual leave attributable to service in the SL/ST position is subject to the 90-day maximum carryover amount. Annual leave accrued during the remainder of the biweekly pay period is subject to the ceiling limitations of the new position.
3. When an employee moves out of an SL/ST position, any annual leave accumulated in the SL/ST position that is in excess of the amount for the new position remains to the employee's credit until used. This maximum accumulation continues as the employee's personal leave ceiling for carryover to succeeding years until such time as the employee carries a smaller accumulation of annual leave from one year to another. At that time, this smaller accumulation becomes the employee's new personal annual leave ceiling until the leave ceiling for the new non-SL/ST position is reached.

TIME AND ATTENDANCE PROCESSING: WebTA automatically defaults the maximum number of annual leave hours that may be carried into a new leave year to 240 hours. For this reason, timekeepers must take positive action to ensure that annual leave ceilings for employees in SL/ST positions are not reduced at the start of the new leave year. For employees currently in SL/ST positions, timekeepers must access the employee's T&A Profile Screen and enter the new maximum leave ceiling of 720 hours. This action must also be taken when an employee moves or converts to an SL/ST position.

When an employee moves out of an SL/ST position, timekeepers must access the employee's T&A Profile Screen and enter the employee's actual Personal Leave Ceiling. This action will allow the employee to carry a greater leave ceiling into the new leave year until such time as the employee reaches the 240 hour ceiling. The Personal Leave Ceiling recorded in the T&A Profile as of the last pay period of the prior leave year is used to calculate the Annual Leave that is carried forward into pay period 01 of the new leave year.

The National Finance Center (NFC) is aware of this new entitlement and will implement changes to affect the new ceiling. The Department will issue separate notification of the NFC changes at a later date.

REFERENCES: Title 5 U.S.C. 6304(f)(1). Federal Register: April 8, 2008, (Volume 73, Number 68)

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