

STATE OF ALASKA DEPARTMENT OF MILITARY AND VETERANS' AFFAIRS STANDARD OPERATING PROCEDURES	NO	PAGE 1 of 11
	ISSUED Feb 8, 2007	EFFECTIVE Upon Issuance
SUBJECT EMPLOYEE LEAVE	APPROVED BY:	
CHAPTER 13a	Craig E. Campbell Commissioner	

PURPOSE:

To provide Department of Military and Veterans Affairs (DMVA) personnel with information and guidelines on the types, accrual, usage and duration of leave, and establish standardized notification and approval processes.

DISTRIBUTION:

All DMVA Divisions.

AUTHORITY:

Alaska Statute 23.10.500 -.550, 39.20.200-.400
Alaska Administrative Code 2 AAC 07.500 and 2AAC 08.010-.999
Alaska Family Leave Act and Federal Family and Medical Leave Act
General Government Unit (**GGU**), Supervisory Unit (**SU**), Labor Trades and Crafts Unit (**LTC**)
collective bargaining agreements

POLICY:

Supervisors and managers are responsible for the day-to-day administration and approval of leave. Managers must plan and schedule leave so that it does not interfere with orderly office operations. All leave requests must be submitted by the employee to the supervisor on Form 02-035, State Leave Request/Report Form, commonly called a leave slip.

DEFINITIONS:

Leave Year: The leave year begins on December 16 and ends on December 15 for all employees.

PROCEDURE:

1. **Personal Leave** – Although some **GGU** employees remain on the “Annual/Sick Leave” program (where they accrue annual and sick leave separately) most DMVA employees accrue personal leave.

A. Accrual of Personal Leave - Eligible **GGU, SU, LTC**, partially exempt (**PX**) and exempt (**EX**) employees accrue personal leave. Accruals are posted to employee leave accounts on a semimonthly basis. The leave year begins on December 16 and ends one year later on December 15. Leave accrual is based on the number of years of eligible State service, as shown on the following below.

Full Time GGU, SU, LTC, PX and EX Employee*
Personal Leave Accrual Schedule

YEARS OF SERVICE	SEMI-MONTHLY ACCRUAL RATE	DAYS PER YEAR
0-2 years	7.50	24
2-5 years	8.44	27
5-10 years	9.38	30
10 or more	11.25	36

*Leave for employees who work less than full time accrue the leave on a prorated basis, depending on the number of hours in pay status during each pay period.

(1) Long-term nonpermanent employees, as defined in the **GGU** and **SU** agreements accrue leave, while other nonpermanent employees do not.

(2) **GGU, SU, LTC, PX** and **EX** employees may use leave after the completion of a threshold 30 calendar days.

(3) All permanent employees in the Personal Leave program may accrue and maintain an unlimited number of hours in their personal leave accounts.

B. Use of Personal Leave - Personal leave may be granted at any time business permits if approved by the supervisor in advance of the use. An employee's request for leave may not be unreasonably denied.

2. Sick/Personal Leave

A. **SU, LTC, PX, EX** and most **GGU** employees do not accrue sick leave. Personal leave is used to cover absences for medical reasons. **GGU** employees who fall under the "Sick Leave" program accrue sick leave at a rate of 4.69 hours per pay period or 15 days per year.

B. Use of Sick Leave - At the discretion of the supervisor, an employee may be granted use of sick leave for a medical or dental appointment or to attend to a member of the employee's immediate family. The supervisor may require a physician's certification of illness or injury for absences of three days or more, or if leave abuse is suspected.

C. Generally employees who are absent due to illness or injury must notify their immediate supervisor not later than 15 minutes past the scheduled starting time. In the absence of the immediate supervisor, the next highest level supervisor is to be advised. Employees should advise the supervisor of the expected date or time of their return to work. Divisions within DMVA may establish internal call-in policy that requires a longer notice prior to the scheduled starting time. Supervisors should notify employees in writing of internal call in requirements and inform them of their responsibility to notify the supervisor when they will be absent due to illness or injury.

3. Funeral Leave –

A. **GGU, SU, LTC, PX** and **EX** employees may utilize up to five days of accrued or

personal leave to attend a funeral for an immediate member of their family. (Immediate family, for purposes of funeral leave means the employee's spouse, children, stepchildren, mother, father, mother-in-law, father-in-law, sister, brother, grandparent or grandchild.) Under extenuating circumstances, a supervisor may approve additional days of accrued leave for this purpose.

B. Supervisors and managers are to liberally grant annual/personal leave for employees to attend funerals not in the immediate family.

4. **Sick Leave Bank** - A sick leave bank is established when employees move from the annual/sick leave system into the personal leave system, and a portion of their former sick leave account remains available to use for medical reasons. Specific rules for use of surplus sick leave are extensive: **LTC**, **SU**, and **GGU** employees should refer to their collective bargaining agreements, **PX** and **EX** employees should refer to 2AAC 08.090, as questions arise. Supervisor or employees may also contact the DMVA Human Resources Representative for specific information.

5. **Leave in Conjunction With Workers' Compensation** - The Alaska Workers' Compensation Act (AS 23.30) provides wage continuation to employees who earn leave, and who are in leave status due to a work-related injury. Employees must submit a leave slip marked as workers' compensation (or their supervisor can submit it for them). Days off work because of an occupational illness or injury will be charged first to sick, then annual (or personal leave) as long as the employee has leave. Workers' Compensation will reimburse the employee's leave account and make salary adjustments according to applicable regulations.

6. **Mandatory Leave Usage** –All employees are required to take a certain number of days of annual/personal leave each leave year (December 16 of one year to December 15 of the next year). The intent of the mandatory leave policy is to contribute to the health and well being of the employee. Mandatory leave usage also reduces the State's unused leave liability.

A. Any employee who has not been employed the entire leave year is exempt from mandatory leave requirements.

B. **SU**, **PX**, **LTC**, and some **GGU** employees must take at least five days (37.5 hours) of personal leave each leave year. **GGU** employees that accrue annual leave are required to take ten days (75 hours) of annual leave each leave year.

(1) By November 16 of each year, employees and their supervisors will be advised by PPTSG of the number of hours of leave that must be taken to fulfill minimum mandatory leave requirements.

(2) Leave cash-ins of up to five days may be applied against the mandatory leave requirement for **GGU** employees on annual leave.

(3) Leave cash-ins do not reduce the mandatory leave requirement for **SU**, **LTC**, **PX** and **GGU** employees on personal leave.

C. **GGU** and **LTC** employees will be paid (at the employee's hourly rate of pay) for any portion of the unused mandatory leave if the Division Director certifies in writing that the employee was denied the opportunity to use the mandatory leave.

D. **SU** and **PX** employees may retain the unused portion of mandatory leave for use in a subsequent leave year if the Division Director certifies in writing that the employee was denied the opportunity to use the mandatory leave.

E. An employee who changes bargaining units during the leave year will be subject only to the mandatory leave usage requirements of the new bargaining unit.

7. **Leave Cash-in** - All DMVA employees may cash-in leave as specifically provided by their collective bargaining agreement or regulation:

A. **GGU** and **SU** employees who accrue personal leave and have in excess of 37.5 hours may request a leave cash-in as long as the cash-in does not reduce the employee's leave account to less than 37.5 hours.

B. **LTC** employees may cash-in up to 75 hours of personal leave in a leave year. Additional hours may be granted at the Employer's discretion. In no event shall cash-in of accrued leave reduce an **LTC** employee's personal leave balance to less than 75 hours.

C. **PX** and **EX** employees who have in excess of 37.5 hours of accrued personal leave may cash-in personal leave up to three times in a leave year. Leave cash-ins may not reduce the employee's personal leave balance to less than 37.5 hours.

D. Requests for cash-ins will be submitted directly to PPTSG in order to meet payroll cutoff dates.

E. In order to comply with Internal Revenue Service rules, leave cash-ins will normally appear on the employee's next payroll check following receipt of the request for cash-in. The employee's leave balance will be reduced by the number of hours of leave cashed in.

8. **Donated Leave** - Employees may donate accrued personal/annual leave to another employee to be used for medical reasons or to several State memorial funds. All employees covered by collective bargaining may not use donated leave until all their accrued sick, annual or personal leave has been exhausted. The minimum leave donation is four hours, except for **SU** employees, which is two hours.

A. Employees wishing to donate annual/personal leave must fill out, date, and sign a leave slip showing the amount of leave they wish to donate. The leave slip must include the name and social security number of the recipient. **GGU** and **LTC** employees should send the leave slip(s) to the union of the receiving employee. Donations to **PX** and **SU** employees are to be sent to PPTSG.

B. Leave donations do not reduce the mandatory leave usage requirements for the donor.

9. **Military Leave:**

A. An employee who is required to report for a military physical examination is entitled to a leave of absence, without loss of pay, for a period not to exceed three working days.

B. An employee who is a member of a reserve or auxiliary component of the United States Armed Forces is entitled to take a leave of absence, without loss in pay, for a maximum of 16.5 working days in a 12-month period designated by the collective bargaining agreement. Annual/personal leave or leave without pay may be granted after the maximum of 16.5 days has been reached.

C. In order to qualify for military leave, the employee must be ordered to training duty, as distinguished from active duty, with troops or at field exercises, or for instruction or when under direct military control in the performance of a search and rescue mission.

D. The employee is not required to possess written training orders at the time of a request for military leave of absence. However, as soon as the employee is informed in writing of the military training dates, the supervisor should be provided with a copy. The leave slip and military orders are sent to PPTSG for processing. Use of military leave does not reduce the employee's annual/personal leave balance.

10. Emergency Search and Rescue - Employees who possess skills necessary to perform emergency search and rescue operations may be asked by the Commissioner of the Department of Public Safety or designee to volunteer their services. Such employees will remain in pay status but are reassigned to the Department of Public Safety for the duration of the emergency search and rescue operation.

11. Court Leave:

A. An employee is entitled to use court leave at no loss in pay when summoned to serve as a juror or when subpoenaed as a witness. Court leave is reported on a leave slip and is recorded in the leave system, but is not deducted from the employee's leave balance. Requests for court leave must be supported by a written document such as a subpoena or notice to report for jury duty.

(1) For record keeping purposes, employees who work the grave or swing shift should be placed on day shift for the day, or the duration of the time the employee is scheduled at court.

(2) Compensation for services received from the court must be returned to Division of Administrative Services except for compensation earned on an employee's regularly scheduled day off.

(3) Court leave may be utilized only for the hours spent in court and for transportation to and from court during work hours. Employees who are in court for a partial day must return to their duty station for the duration of their scheduled work hours.

B. Employees who are required to testify as a witness in connection with their official duties are considered to be on duty and are not required to report court leave.

12. Other Leaves of Absence – Other leaves of absence may be granted as specifically provided for in collective bargaining agreements or personnel regulations.

A. Leave Without Pay (LWOP) is granted as specifically provided for in collective

bargaining agreements or personnel regulations. Employees requesting Voluntary Leave Without Pay (VLWOP) must submit a written request through their immediate supervisor to their Division Director. If the absence will exceed 30 days the Deputy Commissioner must also approve the request. In each instance, the memorandum should contain the supervisor's recommendation whether the leave should be approved or denied.

B. Absences can be approved for various purposes such as work-related travel or study, to allow the employee to accept a partially exempt or exempt position, or to allow the employee to accept a substitute position from which the incumbent of record is on leave, or other leave as provided for in collective bargaining agreements or personnel regulations. The Deputy Commissioner must approve all requests for VLWOP if the absence is for budget saving purposes.

C. An extended absence for disability, illness or injury may be granted in the following circumstances:

(1). **GGU, SU, and PX** employees who have exhausted sick/annual/personal leave **may** be granted a leave of absence without pay for disability because of sickness or injury. This leave is limited to one month for each full month of service, up to a maximum of 24 months.

(2). Permanent **LTC** employees who have exhausted all leave and who a medical doctor has certified as unable to perform their regular or alternate duties within the bargaining unit because of disabling illness or injury **will** be granted up to a maximum of 12 months leave of absence.

Note: Requests for extended absences under this paragraph must include a health care provider's certification to support the application. Additionally, the supervisor may periodically require the employee submit a certificate from the health care provider supporting the need for continuing the leave of absence. If the employee does not provide the required certification, or such certification does not support the need, the supervisor may cancel the leave and require the employee to report to work.

C. An extended leave of absence for military service must be authorized when an employee is ordered to active duty. An employee may choose to use their annual/personal leave or may choose to be placed on leave without pay status. The employee should provide their supervisor (and PPTSG) a copy of their active duty orders as soon as they become available.

13. **Effects of Leave Without Pay (LWOP):**

A. **Authorized LWOP** – Authorized LWOP is approved for a variety of situations including family leave, funeral leave, family emergency/sickness, and other approved absences. **Effect:** Such leave reduces leave accrual on a prorated basis. It also reduces the semi-monthly salary or wage based on the number of hours of LWOP taken in the pay period.

B. **Unauthorized LWOP** – Unauthorized LWOP is used when an employee is absent

from work without approval, regardless of accrued leave in leave accounts. **Effect:** Such leave eliminates all annual/personal and sick leave accruals in the pay period in which unauthorized LWOP is assessed. It also reduces the semi-monthly salary or wage based on the number of hours of LWOP in the pay period.

LWOP may have adverse effects on employee benefits. Supervisor should direct employees to contact the Employee Call Center for an explanation of the various effects of LWOP.

14. **Compensatory Time Leave**

A. **Accrual** – Where allowed under contract or personnel regulation, compensatory time is available only to overtime eligible employees. Authorization to accrue compensatory time to be later used as leave may first require a Letter of Agreement with the union and in all cases must be pre-authorized. Compensatory time is accrued as leave in lieu of paid overtime.

B. **Usage** – Compensatory time accrued as leave must be used before using annual or personal leave. Compensatory time leave balances are paid off in cash, at the appropriate rate of pay, on or about each January 15.

15. **Absences to Interview For Other State of Alaska Positions:**

A. Employees interviewing for positions with other State of Alaska Departments and Agencies will:

(1) Coordinate the interview time with their immediate supervisor. (Employees will attempt to schedule interview times to meet mission needs. Supervisors may deny time off to interview for another position if mission/work requirements justify doing so.)

(2) Complete State of Alaska Form 02-035, Leave Request/Report. This leave slip will be discarded once the required Interview Verification Worksheet (Attachment 1) is completed and returned

(3) Present the Interview Verification Worksheet to the potential employer and have the information completed by the hiring manager at the conclusion of the interview.

B. Supervisors will attempt to adjust workload and mission requirements to ensure the employee is afforded an opportunity to interview for other State of Alaska Positions. Individuals will be allowed:

(1) Two (2) hours for interviews (including one-way travel of less than fifteen (15) minutes).

(2) Three (3) hours if one way travel will exceed fifteen (15) minutes, or the weather bad.

C. Employees interviewing for positions with non-state or private agency positions will be required to complete a State of Alaska Form 02-035 Leave Request for any time taken to travel to/from and participate in the interview

ATTACHMENTS:

Verification Worksheet

**STATE OF ALASKA
DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
INTERVIEW VERIFICATION WORKSHEET**

Please verify that _____ interviewed for the position of
(Employees Full Name)

_____ on _____, at _____.
(Position Title) (Date DD/MM/YYYY) (Time Started)

The interview was conducted at _____, and was completed at
(Location)
_____.
(Time Ended)

I verify that the above information is accurate, and this position is with the State of Alaska
Department of _____.
(Department Name)

(Name and Title of Hiring Manager) (Signature of Hiring Manger)

(Date DD/MM/YYYY)

NOTE: Completion of this form is an internal Department of Military and Veterans Affairs requirement. It does not reflect on the duty performance of the person being interviewed, their qualifications or their suitability for the position they are being interviewed for.