

# FY 2012-2013 Special Leave

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**Provisions** The 2012 General Assembly awarded a one-time five days (40 hours) of special vacation leave on July 1, 2012 to eligible State employees to be used during the Fiscal Year 2012-2013. If the special leave is not used between July 1, 2012, and June 30, 2013, it shall expire.

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**Eligibility** Employees must meet all of the following criteria:

- Full-time employee
- Employed (in pay status) with the State of North Carolina on July 1, 2012
- Eligible to earn vacation leave on July 1, 2012
- Have a permanent, probationary, trainee, or time-limited appointment type

Note: Full-time employees who work less than 12 months (9, 10, or 11 month employees) shall receive a pro-rata amount of leave.

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**Provisions for Part-Time Employee** Permanent part-time employees (half-time or more) shall receive a pro-rata amount of the 5 days (40 hours).

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**Employees on Leave Without Pay (LWOP)** Employees on LWOP, other than workers' compensation and military leave for reserve active duty, shall be credited with the special leave upon their return to employment based on their type of appointment at the time of LWOP. The effective date of the return to work must occur between July 1, 2012 and June 30, 2013; otherwise, the leave is lost.

Employees on workers' compensation leave or military leave for reserve active duty shall be credited with the special leave as of July 1, 2012 and the leave will be available for use as allowed by policy during the FY 2012-2013.

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### **Scheduling and Use of Leave**

- Leave shall be taken only upon appropriate authorization.
- Leave may be used for any purpose for which regular vacation leave is used except leave cannot be donated as Voluntary Shared Leave.
- An employee may choose to use special leave prior to earned compensatory time (holiday comp, overtime comp, gap-hours comp, on-call comp, and travel comp), regular vacation leave, bonus leave and sick leave.
- The use of special leave in lieu of the above listed leave shall be decided upon initial request of leave.
- Retroactive leave adjustments will not be allowed after initial implementation.
- Leave shall be charged in units of time consistent with regular vacation leave.
- Leave shall be offset in accordance with the leave offsetting rules.
- Leave cannot be used to resolve negative leave balance liabilities that were the result of leave that occurred prior to July 1, 2012.
- Leave shall be used prior to using donated Voluntary Shared Leave.

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### **Accounting for Special Leave**

- Leave shall be accounted for separately from all other accrued leave including regular vacation leave and bonus leave.
- Any balance of special leave on December 31, 2012, will be retained by the employee and transferred in to the next calendar year. It will not be considered as part of the 240 hours of vacation leave that can be retained.
- Special leave shall not be combined with vacation leave to determine the 240 hour maximum vacation leave payout upon separation.

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- Special leave shall not be subject to conversion to sick leave.

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## **Transfers**

Any balance of special leave shall be transferred with the employee who transfers to another State agency into a position appointment that meets the eligibility requirements for the special leave. The effective date of the transfer must occur between July 1, 2012 and June 30, 2013. The balance of the special leave is lost if the employee transfers to another State agency in a position appointment that is not eligible for the special leave.

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## **Separation**

Special leave balances shall not be paid out upon termination of employment except in the case of separation due to immediate retirement from a State-supported retirement system. The retirement separation effective date must occur between July 1, 2012 and June 30, 2013 and the retirement effective date must occur immediately upon termination of employment. Immediate is defined as the first day of the month following the effective date of the separation. For example, if an employee separates due to retirement on August 10, 2012, the effective date of the retirement shall be September 1, 2012.

Other than separations due to reduction-in-force, unused leave that is lost upon termination of employment shall not be reinstated if the employee is re-employed prior to June 30, 2013 leave expiration date.

Agencies shall reinstate lost leave to employees who were Reduced-in-Force during the FY 2012-2013 and rehired into a position appointment that meets the eligibility requirements for special leave prior to the June 30, 2013 leave expiration date.

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**Implementation & Administration** Upon initial implementation (month of July), employees may choose to go retroactive and adjust leave accordingly in compliance with these guidelines for absences that occurred since July 1, 2012. Retroactive leave adjustments shall not be allowed after initial implementation.

It is the employee's responsibility to request the use of the special leave. Supervisors must make reasonable effort to arrange schedules whereby employees will be given an opportunity to use the leave prior to the June 30, 2013 expiration date.