



# HUMAN RESOURCES

Georgia Building Authority / State Properties Commission / Georgia State Financing & Investment Commission

## HR-19: Annual, Sick and Personal Leave Policy (effective: 11/2010)

### Purpose

It is the policy of the Georgia Building Authority, Georgia State Financing and Investment Commission and the State Properties Commission that approved absences away from work will be charged against available annual leave, sick leave, personal leave, or if applicable, compensatory time.

### Procedure

Absences from work will be charged to available annual, sick or personal leave only on days which eligible employees would otherwise work and receive pay. Employees who are away from their regular worksite on official business are in work status and are not charged leave. Employees are to be charged leave only for the time during which they are absent from work and are not to be required to remain away from duty as a matter of convenience for the purpose of charging leave.

The following employees are not eligible to accrue annual and sick leave:

- employees who are in a non-active pay status, or is currently on LWOP,
- part-time employees,
- non-GBA/GSFIC/SPC temporary employees or GBA/GSFIC/SPC temporary employees that do not meet the minimum requirements as set forth in this policy.

### Annual Leave Accrual

A full-time employee compensated on a semi-monthly basis shall, at the end of each pay period, earn leave as indicated below, referencing the length of service table. Additionally, the employee must be in active pay status for forty (40) or more hours during the pay period.

Eligible employees who are not in active pay status for the minimum amount of time in a pay period do not accrue annual leave for that pay period.

Eligible full-time employees accrue annual leave as follows:

Length of Service	Semi-Monthly Accrual Rate
0 through 60 months (inclusive)	5 hours per pay period
61 through 120 months (inclusive)	6 hours per pay period
121 months and over	7 hours per pay period

Eligible employees begin accruing annual leave at the appropriate higher rate on the first day of the pay period after completing the required months of continuous service.

The "length of continuous service" begins on the first day an employee reports for work in a position eligible to earn leave. Accrual is based on continuous, unbroken service. If there is a break in service, the "length of continuous service" starts over on the date of rehire, and employees begin to accrue annual leave at the lowest semi-monthly accrual rate.

When the first day of the pay period is a regularly scheduled non-work day and an employee reports to work on the first work day of the pay period, the length of continuous service is calculated from the first day of the pay period.

Eligible employees can accumulate up to a maximum of three hundred and sixty (360) hours of annual leave. Any annual leave in excess of three hundred and sixty (360) hours is placed in a forfeited status, but may be restored as sick leave in cases of illness or disability. Leave accrued beyond three hundred and sixty (360) hours is forfeited at the close of business on the last day of the month.



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Leave cannot be used before it is accrued or converted. All GBA and SPC employees' requests are to be made in writing utilizing the Leave Request Form. GSFIC employees are to request leave utilizing the electronic Kronos Time off Request.

### Use of Annual Leave

1. With Manager's approval, an employee may use annual leave in a minimum of fifteen minute increments for any purpose.
2. Employees are required to use paid leave in the order specified in the Leave Taken Priority List (Attachment 1).
3. Unless an emergency situation exists, employees must use the leave request form and receive approval from their supervisors before using annual leave. The employee must notify the supervisor of the emergency as soon as practicable. If the Supervisor questions the emergency, he or she shall consult with Human Resources prior to approval.
4. Employees are responsible for planning time off well in advance and notifying their supervisor as soon as possible in order to minimize the interruption to work flow.

### Scheduling Annual Leave

Supervisors should make reasonable efforts to grant employees' annual leave requests; however, supervisors are not required to grant requested annual leave when the leave would: disrupt work schedules, leave an office uncovered, inconvenience the work force or public, or contribute to an employee's failure to meet performance expectations. Emergency annual leave requests should be reviewed on a case-by case basis. Supervisors are to determine whether the absence will be charged to annual leave or unauthorized leave without pay.

### Lump Sum Payment for Annual Leave

Employees, who are granted a leave of absence without pay for at least thirty (30) calendar days, may be paid in lump sum for all accrued and unused annual leave that has not been forfeited, up to a maximum of three hundred sixty (360) hours.

### Terminal Leave

When employees have a break in service, all accrued and unused annual leave that has not be forfeited, up to a maximum of three hundred sixty (360) hours, will be paid in lump sum to the employees. A "break in service" is a separation from service for a period of one or more days. Leaves of absence without pay and suspensions are not considered breaks in service.

1. When a separation date has been set administratively to permit employees to be paid for terminal leave, the pay status of employee will not be extended for the purpose of granting a holiday or an un-anticipated non-work day occurring after the last day in pay status.
2. When employees notify supervisors of separation, they must not be continued on the payroll in leave with pay status for the purpose of increasing the rate of leave accrual or the rate at which accrued leave would be paid.
3. Terminal leave is paid at the salary last received by employees.



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4. Forfeited annual leave is not considered terminal leave and is lost when there is a break in service.
5. If employees return to State government, forfeited annual leave may be used for retirement credit purposes.

### Sick Leave Accrual

A full-time employee compensated on a semi-monthly basis shall, at the end of each pay period, earn leave at a rate of five (5) hours sick leave provided the employee is in active pay status for at least forty (40) hours during the pay period. Accrued sick leave will be available for use at the beginning of the pay period after it is earned. The accrual rate does not increase with years of service.

Eligible employees who are not in pay status for the minimum amount of time in a pay period do not accrue sick leave for that pay period.

Eligible employees can accumulate up to a maximum of seven hundred twenty (720) hours of sick leave. Any sick leave in excess of seven hundred twenty (720) hours is placed in a forfeited status but may be restored in cases of illness or disability. Leave accrued beyond seven hundred twenty (720) hours is forfeited at the close of business on the last day of the month.

### Sick Leave Request

1. Employees are to contact their supervisor or designated official at least one hour prior to their scheduled start time or as soon as practicable when sick leave is needed. Due to operational requirements, some departments may have more strict call in requirements. When employees are incapacitated, supervisors may accept calls regarding the employee's status from other individuals.
2. GBA/GSFIC/SPC organizational units may establish procedures for requesting sick leave based on the needs of the organization, providing the procedure is not in contrast to this policy or any other policies, procedures or work rules.

### Use Of Sick Leave

1. Upon employee notifying their direct manager through the prescribed procedures of intent to use sick leave; this benefit will be available to an employee when he or she is sick or has an appointment to visit a physician. The employee can use sick leave to care for an immediate family member (employee's spouse, child, parent, brother, sister or any other person who resides within the household and is a legally recognized dependent of the employee).
2. Sick leave for medical or dental appointments should be limited to the time necessary for the appointment(s) and related travel.
3. Employees are required to use paid leave in the order specified in the Leave Taken Priority List (Attachment 1).
4. Employees who are injured/ill for at least three (3) work days during a period of annual leave may substitute sick leave for annual leave during the period of injury/illness. In order to substitute sick leave for annual leave, employee must submit a request to their supervisor within two (2) weeks of returning to work. A statement from their health care provider that justifies the use of sick leave may be required.
5. Employees who are receiving Short-term or Long-term Disability Insurance benefits cannot use disability insurance and sick leave in tandem, except during the qualifying period. Employees must request to use annual or personal leave or request to be placed in a leave without pay status in order to receive Short-term or Long-term Disability Insurance payments.



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6. Managers may request from the employee who is utilizing sick leave a statement from the employee's health care provider verifying the illness.
7. If an absence because of illness extends beyond accrued sick leave the employee may request that the extended absences be charged to accrued annual leave or personal leave if applicable; this must be approved by the Manager through consulting with Human Resources to confirm leave balances and medical status reports.

### **Sick Leave Denial**

1. Sick leave may be denied for reasons including, but not limited to, the following:
  - Excessive or abusive use of sick leave;
  - Failure to follow procedures for reporting the absence or requesting the use of leave; or,
  - Falsification of documents.
2. Progressive discipline may be necessary if documents show any of the above violations. Depending on the employee's status in relation to the progressive discipline process, GBA/GSFIC/SPC may seek to terminate the employee from employment.
3. Supervisors should carefully review the request prior to denying the sick leave and should be able to support the decision to deny the request.

### **Excessive Use Of Sick Leave**

1. Excessive and/or abusive use of sick leave is considered a pattern of intermittent, short-term use of sick leave. Some possible examples are, but not limited to:
  - frequent use of sick leave in conjunction with holidays, scheduled off days or distribution of pay checks;
  - frequent use of sick leave when scheduled for undesirable temporary shifts or assignments, or during periods of peak work load;
  - requesting sick leave for an absence for which annual leave has previously been denied;
  - frequent occurrences of illness during the work day;
  - peculiar and increasingly improbable excuses;
  - use in excess of seventeen (17) hours of sick leave in a thirty (30) calendar day period.;
  - prior written notification of failure to adhere to procedures for approval of leave, inappropriate attendance, or inappropriate use of leave
2. Employees may be required to report each day as per supervisor instructions.
3. Repetitive use of fewer than seventeen (17) hours of sick leave per a thirty (30) calendar day period.
4. Employees may be required to provide documentation to justify the use of sick leave.

### **Personal Leave**

Employees who have accumulated more than one hundred twenty (120) hours of sick leave as of November 30<sup>th</sup>, of any year are eligible to convert up to 24 hours of sick leave in excess of 120 hours to personal leave. This conversion must be made no later than December 31<sup>st</sup>, of that year for use in the following year.

### **Conversion Process**

Eligible employees must utilize the Employee Self Service via Team Georgia in order to electronically convert up to 24 hours of sick leave to personal leave. Sick leave conversions cannot be changed back after the December 31<sup>st</sup> deadline.



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### Use Of Personal Leave

1. Personal leave may be used for any reason upon receiving prior supervisory approval.
2. Employees are required to use paid leave in the order specified in the Leave Taken Priority List (Attachment 1).
3. Personal leave is only available for use by employees during the calendar year following the conversion request. Any personal leave that is not used during the calendar year (by December 31<sup>st</sup>) is lost.
4. When there is a break in service, personal leave is lost.

### Personal Leave Request

1. As with annual leave employees will need to provide advance notice of intent to use personal leave.
2. Employees are not required to give specific reasons when requesting personal leave.
3. Supervisors must make every reasonable effort to grant requests to use personal leave.

### Limitation On Use Of Leave

Employees cannot use annual, sick, or personal leave during periods of absences in which they are receiving state-funded wage substitutes, including, but not limited to Workers' Compensation benefits.

### Restoring Forfeited Leave

1. Annual and/or sick leave forfeited during the current period of employment may be restored to cover periods of absence due to employees' personal illness/disability or the illness/disability of immediate family members. All paid leave and compensatory time must be exhausted prior to restoring forfeited leave.
2. Employees are to submit written requests to their supervisors, which outline the circumstances that support the restoration of forfeited leave. Supporting documentation, which may include a statement from the attending health care provider, should be included unless the reason for absence has satisfactorily been established.
3. Supervisors are to forward requests to restore forfeited leave to the Director of Human Resources.

### Transfer Of Leave

When an employee transfers without a break in service between positions entitled to earn leave; annual, sick, personal leave and forfeited leave balances transfer with the employee.

1. GBA/GSFIC/SPC will accept leave balances transferred from other State Agencies, Authorities, and Departments.
2. If leave is accrued at a different rate with the previous employer, the employee will not be given credit for more leave than they could have earned if continuously employed with GBA/GSFIC/SPC.

### Restoration Of Leave

The following leave provisions apply to eligible employees who are reinstated or re-employed with the GBA/GSFIC/SPC within one year of the effective date of a staff reduction that resulted in their separation from employment.

1. Any previously accumulated and unused sick leave will be restored;
2. Any forfeited leave accumulated at the time of the staff reduction will also be credited to employees, but can only be restored and used under the conditions identified in this policy; and,
3. The period of absence between the date of separation and the date of re-instatement or re-employment will not be considered a break in service for the purpose of graduated leave accrual.



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### **Divested Leave**

If an employee with previous state service returns to work on or after July 1, 2003, and remains employed for two consecutive years, the employee is eligible to regain accrued sick leave divested when the employee's previous period of service ended. The employee must make application for the restoration of divested leave and must provide documentation of the amount of divested sick leave. This provision does not apply to forfeited leave.

### **Creditable Service Retirement**

Employees who are members of the Employee Retirement System may receive creditable service toward retirement for forfeited annual and sick leave; sick leave that was previously lost due to a break in service and current accumulated and unused sick leave if the above totals at least nine hundred sixty (960) hours.