

## Personal Leave Day Q&A

PPA Meeting 07/29/09 Parking Lot from 06/24/09 Meeting

Questions 1-4 originated at the 06/24/09 PPA Meeting. These are the answers, as provided by the OFM LRO Office.

Questions 5-8 are bonus questions that were provided by LRO as an additional resource (questions that had come directly to LRO). Note: #5 includes some clarification forwarded from Dept. of Agriculture, however the example was provided to Agriculture directly from LRO.

Questions 9-10 are additional questions on HRMS processes; responses are from Department of Personnel.

1. **Question:** Employees are required to use all of their leave before they can start using shared leave, including their personal holiday. Does this same rule apply for the new personal leave day?

**Response:** Some collective bargaining agreements (CBA) require shared leave recipients to exhaust all forms of paid leave, depending upon the qualifying reason, prior to using shared leave. The new personal leave day is included as a form of paid leave. Check applicable agreement(s) as contract language differs. For example, refer to WFSE general government Section 14.8.

2. **Question:** Will users of OFM's Time Management System (TMS) need to create a new leave type?

**Response:** OFM is in the process of creating a new leave type within TMS for the personal leave day. A communication will be sent to agencies once the programming is complete.

3. **Question:** If an employee notifies their supervisor in June they will resign effective July 31<sup>st</sup>, is the employee eligible to use a personal leave day in July?

**Response:** If the employee has been continuously employed for four or six months, depending upon the contract, they are eligible to use their personal leave day during the month of July. An employee's notice of resignation does not affect eligibility.

4. **Question:** If an employee begins state employment June 1, when are they eligible to use their personal leave day?

**Response:** An employee is eligible to use their personal leave day after four or six months of continuous state employment. An employee that begins state employment on June 1 is eligible to use their personal leave day on either October 1 or December 1, depending upon the applicable CBA.

Additional questions provided by LRO:

5. **Question:** Regarding employees who work eight-hour days one month and then work ten-hour days the next. If an employee uses four hours of their personal leave day for a domestic violence issue when they are on eight-hour days and then they go to ten-hour days and want to use the rest, do they get four or five hours as the remainder?

**Response:** Given the employee used a half-day on their eight-hour day, the employee could use the remainder as a "half-day" of their ten-hour day. In this example, the employee could use five hours of their personal leave day.

Clarification provided by LRO to Dept. of Agriculture, forwarded to PPA by Dept. of Agriculture:

"Whatever percentage of their shift an employee took already for the other allowed reasons, that's the percentage they get of the shift they are on when they take the rest.

Example:

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Employee on 10-hour days takes a total of 5 hours of their personal leave day or personal holiday for the other allowable reasons per contract. That's 50% of their shift at that time.

Four months later they are on 8-hour days and they want to take the rest of their leave or holiday day. Since they took 50% of their 10-hour shift earlier, they get 50% of their current 8-hour shift now, so they get 4 hours."

6. **Question:** For part-time employees, do they only have to be employed for four or six months, depending on the CBA, in order to be eligible to use a "pro-rata" personal leave day?

**Response:** An employee is eligible to use their personal leave day after four or six months of continuous state employment.

7. **Question:** When do Seasonal and On-Call employees become eligible to use a personal leave day?

**Response:** An employee is eligible to use their personal leave day after four or six months of continuous state employment.

8. **Question:** If, after five months of continuous state employment, an employee transfers from one agency where the CBA requires six months of employment to another agency with a CBA that requires only four months of employment, can an employee use a personal leave day upon arrival to the new agency?

**Response:** In this example, an employee is eligible to use their personal leave day upon arrival to the new agency. Accordingly, if after five months of continuous state employment, an employee transfers from one agency where the CBA requires four months of employment to another agency with a CBA that requires six months, the employee becomes ineligible to use their personal leave day until the sixth month.

Additional Q&A as provided by Department of Personnel:

9. **Question:** If an employee has been continuously employed and is eligible to take their personal leave day but is going to leave state service before HRMS is able to accept the leave entry, what absence type should be used in lieu of the personal leave day so the employee does not pay medical aid on a day they are not at work?

**Response:** We did anticipate the question about what to do if the employee wants to take the leave prior to September 1 in the 6/22 communication. Essentially, we suggested that agencies temporarily use vacation or some other type of eligible leave if they have that situation and then change it to the correct absence type when the absence type is available in September.

10. **Question:** Is there going to be instructions or communications sent to agencies on how to make the quota correction after the employee is terminated and the system is available to accept the personal leave code?

**Response:** Because this is an absence type that agencies would need to enter, they just need to change the absence type in CATS. The Personal Leave Day quota for employees who have the correct Date Type (as described in the communication) will be created by DOP around the 1<sup>st</sup> of September (see 6/22 communication on this subject). No quota correction should be needed. If the employee did not have that date type and an agency needs to create a quota correction, they could see the instructions for maintaining quota.

If the employee is terminated, they can still do absence changes in CATS for the terminated employee as long as the effective date falls within the period in which the employee was active. There are no special instructions...this is within normal procedures for making retroactive time entry changes.