

Office of Personnel Management

Policy

Policy Title: Annual Leave	Policy Number: 50.01
Citation: Arkansas Code Annotated §§ 21-4-204 and 205; § 21-5-1007	Forms: Employee Leave Request http://www.dfa.arkansas.gov/offices/personnelManagement/Pages/forms.aspx

Purpose

This policy applies to all state employees except emergency, hourly, intermittent, extra help, and per diem employees and those employed by the following agencies:

- 1.The elected constitutional officers of the state and their employees;
- 2.The General Assembly and its employees, including employees of the Bureau of Legislative Research of the Arkansas Legislative Council and the Division of Legislative Audit;
- 3.Members of the Arkansas Supreme Court, Circuit and Chancery Courts, Prosecuting Attorneys and the Administrative Offices of the Courts;
- 4.Arkansas Highway and Transportation Department; and
- 5.All administrative, academic, or other non-classified employees of state supported institutions of higher education.

An employee who works in a regular salary position shall accrue annual and sick leave in the same proportion as time worked.

The establishment of leave records and internal procedures, such as requesting leave, approving leave, and leave use, are the responsibility of each agency and institution. All employees shall be informed of statewide policy as well as any internal policy and procedures.

When an officer or employee of a state office or agency excluded from the provisions of the Uniform Attendance and Leave Act leaves employment of the excluded office or agency and becomes employed by an agency or institution that is subject to the Uniform Attendance and Leave Act, the period of employment with the excluded office or agency shall be included as state employee service for the purpose of determining the career service date and the rate at which the employee earns paid annual leave. For annual leave accrual rate purposes only, this provision applies to annual leave earned after March 27, 1997.

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Specific Provisions

Except for the employees of the fire and emergency services with the State Military Department, an employee who works in a regular salary position shall accrue annual leave as defined in the timetable below. Full-time employees accrue leave at the rates shown in the timetable listed below. Employees who work less than full-time per year accrue annual leave in the same proportion as time worked. For example, employees who work half-time would receive half of the annual leave accrual shown on the timetable. Employees must have completed full years of employment before movement to the next higher accrual rate. For example, an employee would not move to the second level of annual leave accrual rate until they had completed three (3) full years of employment and starting their fourth (4th) year.

Years of Employment	Monthly	Annually
Through 3 years	1 Day	12 Days
4 through 5 years	1 Day, 2 Hours	15 Days
6 through 12 years	1 Day, 4 Hours	18 Days
13 through 20 years	1 Day, 6 Hours	21 Days
Over 20 years	1 Day, 7 Hours	22.5 Days

1. Through three (3) years: Employees must have completed three (3) full years of employment, before movement to the next higher accrual rate—(1 through 36 months).
2. Four (4) through five (5) years: Employees must have completed three (3) full years of employment and be starting their fourth (4th) year—(37 through 60 months).
3. Six (6) through twelve (12) years: Employees must have completed five (5) full years of employment and be starting their sixth (6th) year—(61 through 144 months).
4. Thirteen (13) through twenty (20) years: Employees must have completed twelve (12) full years of employment and be starting their thirteenth (13th) year—(145 through 240 months).
5. Over twenty (20) years: Employees must have completed twenty (20) full years of employment and be starting their twenty-first (21st) year—(241 months and beyond).

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Annual leave accrued during a calendar month is not considered to be earned by an active employee until the last working day of the month, and the leave must be earned before it can be used. For accrual purposes only, employees will accrue half their monthly accrual of annual leave if employed on the first (1st) working day of the month and are in active status on the payroll through the 15th of that month. Employees will accrue half their monthly accrual if employed on the 16th of the month and are in active status on the payroll through the last working day of that month. (If the 16th falls on a weekend or holiday, accrual begins on the first (1st) working day thereafter.)

Per an Office of Personnel Management memorandum dated September 27, 2012, years of employment may be continuous state employment or an accumulation of years of service when the employee was out of state service for a time.

Annual leave is granted on the basis of work days, not calendar days. Non-work days, such as holidays and weekends, are not charged as annual leave.

Annual leave shall be granted to permanent, probationary, provisional, and temporary employees who are working one-half time on a pro rata basis. Annual leave shall not be granted to emergency, hourly, intermittent, or per diem employees. An employee who works a minimum of 1000 hours per year in a regular salary position shall accrue annual leave. Employees who work less than full time, but more than 1000 hours per year, accrue annual leave in the same proportion as time worked.

Any employee who works in a regular salary position shall accrue annual leave in the same proportion as time worked.

Annual Leave is cumulative and no employee shall have over 30 days accumulated on December 31st of each year. Accrued leave may exceed 30 days during the calendar year, but those days in excess of 30 will be forfeited if not used by December 31st of each year. Employees who have a balance of over 30 days at the end of the calendar year may donate their time over 30 days to the Catastrophic Leave Bank or as shared leave. Accrued Birthday and Holiday leave balances are not forfeited at the end of the year even though the employee is carrying over 30 days of annual leave.

An employee may request to use accrued annual leave at any time. The Agency Director or Institution Head may grant the leave request at such time that will cause the least disruption to the efficient operation of the agency.

Employees shall not borrow from anticipated future accruals and may not use annual leave accrued by other employees, unless approved as shared leave.

The minimum annual leave amount an employee can use is fifteen (15) minutes. No smaller amounts shall be used.

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Employees continue to earn annual leave at their normal accrual rate when on annual or sick leave.

An employee may not earn annual leave when in a leave without pay status for ten (10) or more cumulative days within a calendar month.

All compensatory time should be used before the use of annual leave.

Employees transferring without a break in service, between state agencies and/or state-supported institutions of higher education, that are covered by these policies, shall retain all accumulated annual leave.

When an employee terminates employment with the state, they are eligible to receive a payout of their annual, as well as birthday and holiday, leave balances; however, the payout may not exceed thirty (30) days or 240 hours.

State Military Department Exceptions

Each fire and emergency service employee of the State Military Department who works a regularly scheduled shift of more than forty-seven (47) hours per week is entitled to annual leave with full pay computed on the basis of the following schedule for each complete year of service with the department. Employees must have completed full years of employment before movement to the next higher accrual rate.

Years of Employment	Monthly	Annually
Through 3 years	1 Day, 4 hours	18 Days
4 through 5 years	1 Day, 7 Hours	22.5 Days
6 through 12 years	2 Days	24 Days
13 through 20 years	2 Days, 3 Hours	28.5Days
Over 20 years	2 Day, 5 Hours	31.5 Days

No fire or emergency service employee of the State Military Department shall carry over more than forty-five (45) days of annual leave at the end of each calendar year, except that the 45-day maximum of cumulative annual leave may exceed forty-five days during the calendar year. Those days in excess of 45 will be forfeited if not used by December 31st of each year.

Revised March 1, 2016