



OFFICE OF HUMAN RESOURCES

Isiah Leggett
County Executive

Joseph Adler
Director

MEMORANDUM

December 15, 2009

TO: Executive Branch Department and Office Directors

FROM: Joseph Adler, Director
Office of Human Resources 

SUBJECT: 2009 Compensatory Time and Annual Leave Carryover Limitations

The following memorandum outlines the various rules and limitations, in accordance with the MCGEO and IAFF Collective Bargaining Agreements and the Personnel Regulations, relating to the accrual and carryover of excess compensatory time and annual leave. Please ensure that all employees are aware of this information.

COMPENSATORY TIME LIMITATIONS

UNREPRESENTED AND MCGEO, LOCAL 1994 EMPLOYEES

Non-Exempt Employees

- Employees designated as non-exempt under the Fair Labor Standards Act who have compensatory time balances in excess of 80 hours at the end of the leave year (January 2, 2010)* are required to receive payment for excess hours. The Fair Labor Standards Act does not permit the transfer of excess compensatory time to sick leave for non-exempt employees.

**Please note that the end of the leave year, January 2, 2010, and other dates listed in this memorandum apply to all employees (including those employees using paper timesheets as well as those employees on Compressed work schedules).*

- In order to carry over any compensatory time in excess of 80 hours to the next leave year, an employee must submit a written request to the Director, Office of Human Resources by **February 12, 2010**. **If a written request is not received by the deadline, the employee will automatically be paid for all**

compensatory time in excess of 80 hours. Non-exempt employees may elect to carry over excess compensatory leave for a one-year period.

Exempt Employees

Employees designated as exempt under the Fair Labor Standards Act will have all compensatory time balances in excess of 80 hours transferred into their sick leave balance at the end of the leave year. This transfer will be reflected on payroll checks dated January 15, 2010.

- The authority to approve the carryover of compensatory time in excess of 80 hours for exempt employees has been delegated to Department/Agency Directors. Directors should approve carryover only when it is demonstrated that the employee was unable to reduce such time to 80 hours due to “emergency or special workload considerations.” Any exempt employee who desires to have excess compensatory time carried over to the next leave year in accordance with Personnel Regulations, Section 10-8(c)(4) should submit their request to their respective Director by February 12, 2010. All requests for carryover of excess compensatory leave must be accompanied by appropriate justification. Approved carryover requests along with supporting documentation should be sent to the Department of Finance, Payroll Section, 8th Floor. The excess compensatory time carried over to 2010 must be reduced by no later than January 2, 2010.

INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 1664 EMPLOYEES (IAFF)

- A bargaining unit employee who has a compensatory time balance in excess of 80 hours at the end of the leave year (January 2, 2010) (96 hours for an employee assigned to a 2,496 hour work year) may elect to be paid for the excess hours by the first pay period following March 13, 2010 or carry them over for one year. In order to carry over any compensatory time in excess of 80 hours to the next leave year, an employee must submit a written request **FOR RECEIPT** by the Director, Office of Human Resources by February 12, 2010. If a written request is not received by the deadline, the employee will automatically be paid for all compensatory time in excess of 80 hours. The carry-over of excess compensatory time must be reduced by no later than January 2, 2010.

ANNUAL LEAVE CARRYOVER LIMITATIONS

The 2009 leave year concludes with the biweekly payroll reporting period ending January 2, 2010. Annual leave hours that exceed the maximum allowable carryover limit will be transferred from annual leave and into accumulated sick leave balances on the payroll check dated January 15, 2010.

The maximum amount of annual leave that may be carried over to the 2010 leave year is as follows:

Type of Position	Initial Employment Date	Carryover Limit
Full- or Part-time position (unrep)	Prior to January 1, 1957	560 (672 for 2,496 hrs/yr. & 588 for 2,184 hrs/yr. IAFF)
Full- or Part-time position (unrep)	January 1, 1957 to June 30, 1972	320 (384 for 2,496 hrs/yr. & 336 for 2,184 hrs/yr. IAFF)
Full- or Part-time position (unrep)	After June 30, 1972	240 (288 for 2,496 hrs/yr. & 252 for 2,184 hrs/yr. IAFF)
MLS Position & a participant of the Employee Retirement System	Prior to October 1, 1994	320
MLS position & a participant of the Retirement Savings Plan (Earns PTO)	On or after October 1, 1994	No Limit
Full- or Part-time position occupied by former State/County employee	Any	400

An employee may request to carryover excess annual leave for one additional leave year with the approval of the employee's department director provided the employee was not able to use the leave because of special circumstances or workload demands or because a supervisor denied an employee's request to use the excess leave. Approved requests to carryover excess leave amounts must be submitted to the Payroll Office by February 12, 2010. The additional carryover amount will be added back to the annual leave balance on or before the payroll check dated March 26, 2010.

The following examples illustrate how the excess annual leave amounts are processed under various circumstances. All questions relating to the transfer of excess leave amounts should be directed to the Payroll Office at 240-777-8840.

JA/lc

Enclosure

EXAMPLES

	Carryover Limit = 240 Hours	Carryover Limit = 320 Hours
TRANSFER OF EXCESS ANNUAL LEAVE TO SICK LEAVE BALANCE		
Ending Annual Leave Balance as reflected on the January 2, 2010 payroll check	420.20	420.20
Less Leave Used between 12/20/09-1/02/10	(72.00)	(72.00)
Add Leave Accrual for period 12/22/08-1/03/09	<u>6.15</u>	<u>8.00</u>
Leave Balance Prior to Transfer of Excess Hours	354.35	356.20
Less Maximum Carryover Limit	<u>240.00</u>	<u>320.00</u>
Excess Annual Leave Hours to be transferred to Sick Leave Balance on the January 15, 2010 payroll check.	<u>114.35</u>	<u>36.20</u>

CARRYOVER OF EXCESS ANNUAL LEAVE FOR ONE ADDITIONAL LEAVE YEAR

Ending Annual Leave Balance as reflected on the January 2, 2010 payroll check	500.00	450.00
Less Leave Used between 12/20/09-1/02/10	(16.00)	(40.00)
Add Leave Accrual for period 12/22/08- 1/03/09	<u>6.15</u>	<u>8.00</u>
Leave Balance Prior to Transfer of Excess Hours	490.15	418.00
Less Maximum Carryover Limit	<u>240.00</u>	<u>320.00</u>
Excess Annual Leave Hours to be transferred to Sick Leave Balance on the January 15, 2010 payroll check.	<u>250.15</u>	<u>98.00</u>
Approved request submitted on 2/12/10 to carry-over excess annual leave for one more leave year (limited to amount earned in 2009). Hours to be added back to Annual Leave balance on the payroll check dated 3/26/10.	<u>160.00</u>	<u>98.00</u>