



OFFICE OF HUMAN RESOURCES

Isiah Leggett
County Executive

MEMORANDUM

Joseph Adler
Director

November 21, 2014

TO: Executive Branch Department and Office Directors

FROM: Joseph Adler, Director
Office of Human Resources 

SUBJECT: 2014 Compensatory Time and Annual Leave Carryover

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

The 2014 leave year concludes with the biweekly payroll reporting period in which December 31 falls, the pay period ending **January 10, 2015**. Excess compensatory time is defined as compensatory time hours earned by an employee that exceed 80 hours at the end of the leave year. Full and part-time employees are subject to the same 80-hour threshold for excess compensatory time. Employees who carried over excess compensatory time from the previous leave year (2013 to 2014) must use this excess compensatory time by the end of the 2014 leave year, **January 10, 2015**.

Compensatory Leave Supplemental hours (Comp Leave Supp) are considered separate from regular earned compensatory time. Since Comp Leave Supp hours may be carried over each year, these hours are not included in the end of the leave year process for compensatory time. Therefore, employees are not entitled to any pay for Comp Leave Supp hours at either the end of the leave year or at termination.

Non-Exempt Unrepresented and MCGEO Local 1994 Employees:

Under the Fair Labor Standards Act (FLSA), non-exempt employees with compensatory time balances in excess of 80 hours at the end of the leave year will be paid for excess compensatory hours over 80; **unless** the non-exempt employee submits written notice to the Office of Human Resources (OHR) to carry over their excess compensatory time from the 2014 leave year to the 2015 leave year. The notice must be received by OHR via e-mail

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or memo to the following mail box: Leaveyear@montgomerycountymd.gov by **February 13, 2015**, or non-exempt employees will receive payment on **March 20, 2015**. **Important: You must enter code: 0115 Excess Comp Time in the subject line of the e-mail or memo.** The FLSA does not permit the transfer of excess compensatory time to sick leave for non-exempt employees.

Exempt MCGEO and Unrepresented Employees:

Under the FLSA, exempt employees who have compensatory time balances in excess of 80 at the end of the leave year will have excess compensatory time hours transferred to sick leave at the end of the leave year. The transfer will show on the pay slip of **February 6, 2015**. Exempt employees who wish to carryover excess compensatory time from the 2014 leave year to the 2015 leave year should submit a request to their Department/Office Director for approval by **February 13, 2015**. Department/Office Directors should approve carryover of excess compensatory time only if it was demonstrated that the employee was unable to reduce such time to 80 hours due to emergency or special workload considerations. Documentation of the Director's approval of the request must be received by the OHR Director via e-mail or memo in care of LeaveYear@montgomerycountymd.gov by **February 20, 2015**. **Important: You must enter code: 0115 Excess Comp Time in the subject line of the e-mail or memo.** The approved carryover amount will be first transferred to your sick leave balance that is visible on the pay slip for **February 6, 2015**, but later added back to your compensatory leave balance on the pay slip dated **March 20, 2015**, which will be visible in MCTime on **Monday, March 16, 2015**.

International Association of Firefighters, Local 1664 (IAFF) Employees:

IAFF bargaining unit employees with compensatory time balances in excess of 80 hours at the end of the leave year (96 hours for an employee assigned to a 2,496 hour work year and 84 hours for an employee assigned to a 2,184 hour work year) may elect to receive payment for excess compensatory time to be paid on the pay date of **March 20, 2015**, or the employee may elect to carryover excess compensatory time from the 2014 leave year to the 2015 leave year. MCFRS employees will be sent instructions from the Division of Administrative Services regarding the specific deadline for a departmental submission to OHR. MCFRS will coordinate requests of employees who wish to carry over their compensatory leave or annual leave, and submit everything to OHR and Payroll prior to the deadline. The department will submit the coordinated response to the OHR Director via e-mail or memo in care of Leaveyear@montgomerycountymd.gov by **February 20, 2015**. **Important: You must enter code: 0115 IAFF Excess Comp Leave in the subject line of the e-mail or memo.** If a written request is not received by **February 20, 2015**, the employee will be paid for the excess compensatory time.

ANNUAL LEAVE CARRYOVER LIMITATIONS

If an employee has accumulated annual leave in excess of the authorized maximum at the end of the 2014 leave year, the employee may elect to 1) transfer 100 percent of the excess annual leave to their 2015 sick leave; or 2) carryover their 2014 excess annual leave to the 2015 leave year if the employee was not able to use the annual leave in 2014 because of special circumstances, workload demands, or if a supervisor denied the employee's request to use excess leave. To carryover excess annual leave, employees must submit a written request to their Department /Office Director for approval **by February 13, 2015**. Approved requests by the Department/Office Directors must be received by the OHR Director via e-mail or memo in care of Leaveyear@montgomerycountymd.gov **by February 20, 2015**. **Important: You must enter code: 0115 Excess Annual Leave in the subject line of the e-mail or memo.** The approved carryover amount will be first transferred to your sick leave balance that is visible on the pay slip for on **February 6, 2015**, but later added back to your compensatory leave and/or annual leave balance on the pay slip dated **March 20, 2015**, which will be visible in Mctime on **Monday, March 16, 2015**.

Employees who carried over excess annual leave from the previous leave year (2013 to 2014) must use this excess annual leave by **January 10, 2015**, the end of the leave year, or the leave will be automatically converted to sick leave.

Please open the attached documents to view annual leave maximums and annual leave carryover calculations. If you have any questions regarding this information, please contact Judith Smiley, HR Specialist at 240-777-5047 or via email at judith.smiley@montgomerycountymd.gov.

JA/js

Attachments

cc: HR Liaisons
Mctime
Oracle ERP
Payroll