

GOVERNMENT OF THE DISTRICT OF COLUMBIA
D.C. Department of Human Resources

District Personnel Manual Issuance System

DPM Instruction No. 12-41

This bulletin should be filed behind the divider for Part III of DPM Chapter(s) 12
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SUBJECT: *Annual Leave Bank* Administered by the
D.C. Department of Human Resources

Date: October 24, 2008

NOTE: This District Personnel Manual (DPM) instruction supersedes DPM Instruction No. 12-7, *Annual Leave Bank*, dated August 14, 1991.

1. Purpose

The purpose of this DPM instruction is to update the procedures on the "*Annual Leave Bank*" for agencies under the personnel authority of the Mayor (subordinate agencies); add the "*Leave Adjustment Form*" and "*Request for Advance Leave or Leave without Pay*" form as attachments to the instruction; and make minor modifications to the *Annual Leave Bank* forms.

2. Authority

- **Statutory:** The District of Columbia Government Annual Leave Bank Amendment Act of 1990 (Act), effective September 11, 1990 (D.C. Law 8-155; D.C. Official Code §§ 1-612.05 through 1-612.11) (2006 Repl.).
- **Regulatory:** Sections 1250 through 1258 of Chapter 12 of the D.C. personnel regulations, Hours of Work, Legal Holidays and Leave.

3. Applicability

This DPM instruction is applicable to employees in subordinate agencies who are entitled to accrue annual leave pursuant to D.C. Official Code § 1-612.05 (2006 Repl).

4. General

- a. Under the Act, the D.C. Department of Human Resources (DCHR) is required to establish and administer a program that allows eligible employees in subordinate agencies to **donate** a portion of their annual leave to an *Annual Leave Bank* for use by employees in subordinate agencies who are confronted by a **medical emergency**, as that term is defined below.

Note: DPM Instructions that are strictly procedural in nature have direct applicability only to agencies and employees under the personnel authority of the Mayor. Other personnel authorities or independent agencies may adopt any or all of these procedures or guidance materials for agencies and employee under their respective jurisdictions. [See DPM Chapter 2, Part II, Subpart 1, §1.3]

Inquiries: Benefits and Retirement Administration, DCHR (202) 442-9700

Distribution: Heads of Department and Agencies, HR Advisors, and DPM Subscribers

Retain Until Superseded

- b. The purpose of the *Annual Leave Bank* described in this DPM instruction is to **prevent or limit the loss of income** by employees who are faced with medical emergencies and may not have sufficient paid leave to cover their period of absence.
- c. The *Annual Leave Bank* described herein is separate and distinct from the *Annual Voluntary Leave Transfer Program* pursuant to the Voluntary Transfer of Leave Amendment Act of 2003, effective February 6, 2004 (D.C. Law 15-68; D.C. Official Code §§ 1-612.31 through 1-612.38); and section 1282 of Chapter 12 of the regulations.
- d. While the DCHR administers the *Annual Leave Bank Program*, individual agencies (including independent agencies) are required to establish and administer a *Voluntary Leave Transfer Program* to allow agency employees to transfer accrued annual or universal leave to the annual or universal leave account of any other eligible employee who is confronted with a serious health condition or has the responsibility to provide personal care to an immediate relative.

[Note: for information on the *Voluntary Leave Transfer Program*, please refer to DPM Instruction No. 12-35, dated April 21, 2008.]

5. Definitions

The following terms have the meaning ascribed:

Annual Leave Bank – a fund of accumulated annual leave donated by employees of a personnel authority for the use of leave bank members of that personnel authority who need such leave because of a medical emergency.

Biweekly rate basic pay – the bi-weekly rate of pay fixed by appropriate authority, before deductions and exclusive of any premium pay, authorized for the grade of the position held by the employee.

Child – a person twenty-one (21) years of age, and also a person who, though twenty-one (21) years of age or older, is substantially dependent upon the eligible employee by reason of physical or mental disability, and a person up to twenty-three (23) years of age who is a full-time student at an accredited college or university.

Employee – any individual who performs a function for a subordinate agency, who receives compensation for the performance of such service, and who accrues annual leave under D.C. Official Code § 1-612.03.

Family member – a person to whom the eligible employee is related by blood, legal custody, or marriage; a child who lives with an eligible employee and for whom the eligible employee assumes and discharges parental responsibility; or a person with whom the eligible employee shares or has shared, within the last year, a mutual residence and with whom the eligible employee maintains a committed relationship.

Hourly rate of pay –

- For an employee paid on an annual basis, the employee's scheduled rate of pay, divided by two thousand eighty (2080) hours; except that for a firefighter employed by the Fire and Emergency Medical Services Department, the employee's scheduled rate of pay divided by the number of work hours contained in the work year; and
- For an employee paid on an hourly basis, the hourly rate of pay contained on the salary schedule.

Leave bank member – an eligible employee who donates at least four (4) hours of annual leave in a leave year to the annual leave bank described by this instruction.

Leave donor – an employee who donates annual leave or universal leave to the annual leave bank established by this instruction.

Leave recipient – a member of the *Annual Leave Bank* who has been approved by the Director, DCHR (or designee)¹, to receive annual leave from the bank.

Medical emergency – a medical condition of an employee or a member of an employee's family that is likely to require the employee's absence from duty for a prolonged period of time and result in a substantial loss of income to the employee because of the unavailability of paid leave.

[Note: The birth of or care for a newborn infant under "normal" delivery conditions do not constitute a medical emergency.]

Prolonged period of time – at least then (10) consecutive workdays.

Subordinate agency – any agency under the direct administrative control of the Mayor.

Substantial loss of income – pay which is 50 percent (50%) or less than the employee's biweekly rate of basic pay.

6. Donating Annual Leave to the *Annual Leave Bank*

- a. An employee may donate annual leave to the annual leave bank by making a voluntary written application (*D.C. Standard Form (DCSF) No. ALB-01, Application to Donate Annual Leave to the Annual Leave Bank*, copy attached, must be completed for that purpose) to his or her agency that specifies the number of hours of annual leave to be donated. Employees in subordinate agencies may obtain *DCSF No. ALB-01* from their agency Human Resources (HR) Advisor, or by accessing DCHR's intranet website at www.dcop.in.dc.gov under the "*Forms*" link.

¹ Unless otherwise stated, the words "Director, DCHR" shall be construed to mean the Director him or herself, or a designee.

- b. An employee may donate annual leave to the annual leave bank at any time and as often as he or she chooses during the leave year, provided that:
 - (1) The annual leave donation does not total more than one-half (½) of the amount of annual leave that the leave donor would be entitled to accrue during the leave year in which the donation is made, with the exception that restored leave may be donated without restriction; and
 - (2) The total amount of annual leave to be donated is available in the leave account of the leave donor at the time he or she makes application to donate such leave.
- c. An employee becomes a leave bank member and, therefore, is eligible to be a leave recipient, for any leave year in which he or she donates at least four (4) hours of annual leave to the *Annual Leave Bank*.
- d. The agency HR Advisor is to receive the application, and review and verify the information to ensure that the employee meets the criteria outlined in paragraph 6 (b) above.
- e. If, upon reviewing the information submitted on the employee's application to donate leave, the HR Advisor determines that the information is not correct or that the criteria set forth in paragraph 6 (b) has not been met, he or she is to deny the application to donate leave and notify the employee of the deficiencies of the application.
- f. Upon reviewing and verifying that the information submitted on the employee's application to donate leave is correct and that the criteria outlined in paragraph 6 (b) above have been met, the HR Advisor is to:
 - (1) Determine the dollar value of the donated annual leave by multiplying the donor's hourly rate of pay by the number of hours of annual leave donated;
 - (2) Certify the dollar value of the annual leave donation on the application; and
 - (3) Forward the application to the Director, DCHR, for processing into the annual leave bank.
- g. Donated leave is to be deducted from the leave donor's leave account effective the first pay period following approval of the donation by the employing agency. Therefore, upon forwarding the leave donor's application to the Director, DCHR, the leave donation is deemed approved and the leave donor's agency is to:
 - (1) Prepare and forward to the Office of Payroll Operations within the Office of Pay and Retirement Services (OPRS), a *Leave Adjustment Form (copy attached)* to reduce the leave donor's annual leave balance in the automated leave system by the number of hours of annual leave donated, with the notation "Donation of annual leave to the *Annual Leave Bank*" in the "Remarks" section; and

- (2) Make the following notation in the “*Remarks*” section of the leave donor’s Time and Attendance Report (as applicable) for the pay period in which the annual leave donation is effective:

“Employee’s annual leave balance reduced by donation to Annual Leave Bank.”

[Note: PeopleSoft, the personnel/payroll system utilized by most District government agencies, contains no *fields* which will allow the user to input the above remark (notation).

- (3) **District government employees utilizing the *E-Time* reporting system are required to provide a copy of the approved *DCSF No. ALB-01* to their *E-Time* approving official to verify that the leave donation has been deducted.**

- h. Once donated, annual leave is not recredited to the leave donor.
- i. The Director, DCHR, will deposit the leave donations, as converted to their corresponding dollar value, into the *Annual Leave Bank* administered by the DCHR for subordinate agencies.

7. Application to Become an *Annual Leave Bank* Recipient

- a. A leave bank member may make written application (*DCSF No. ALB-02, Application to Receive Annual Leave Bank Hours*, copy attached, must be completed for that purpose) to his or her agency to become a leave recipient. Employees in subordinate agencies may obtain *DCSF No. ALB-02* from their agency HR Advisor, or by accessing DCHR’s intranet website at www.dcop.in.dc.gov under the “*Forms*” link.
- b. If a leave bank member is not capable of making an application on his or her own behalf, another employee may make written application on the employee’s behalf.
- c. The information contained on an employee’s application to become a leave recipient may only be used for the purpose of making a decision with regard to the application; and all information contained on, and accompanying, the application must be kept confidential.
- d. All applications to become a leave recipient are to be notarized and must provide the following information concerning the potential leave recipient:
 - (1) The *Annual Leave Bank* member’s name, position title, grade and step (as applicable);
 - (2) The reason(s) the leave is needed, including a brief description of the nature, severity, anticipated duration, and if it is a recurring medical emergency, the approximate frequency of the medical emergency;
 - (3) Certification from one (1) or more physicians, or other appropriate medical specialist(s), with respect to the medical emergency; and

- (4) Documentation that the employee has requested advanced leave to cover the period of absence anticipated for the medical emergency.
- e. Any expense incurred in obtaining medical certification of the medical emergency is the sole responsibility of the potential leave recipient.
- f. The HR Advisor is to receive the application to become a leave recipient, and review and verify that the employment information, including the employee's status as a leave bank member, is correct.
- g. The HR Advisor is to act upon applications to become a leave recipient in the order in which they are received.
- h. If, after reviewing the information submitted on the employee's application to become a leave recipient, the HR Advisor determines that the employment information is not correct or that the employee is not an *Annual Leave Bank* member, he or she is to deny the application to become a leave recipient and notify the employee of the deficiencies of the application.
- i. Upon reviewing and verifying that the employment information submitted on the employee's application to become a leave recipient is correct and that the potential leave recipient is a *Annual Leave Bank* member, the HR Advisor is to forward the application to the Director, DCHR, for approval or disapproval.

8. Approval of Applications to Become an *Annual Leave Bank* Recipient

- a. The Director, DCHR, will receive all applications to become a leave recipient from subordinate agencies for the purpose of reviewing and approving/disapproving such applications.
- b. Applications to become a leave recipient are to be acted upon in the order in which they are received.
- c. Before approving an application to become a leave recipient, the following must be determined:
 - (1) That the request to become a leave recipient is necessitated by a medical emergency;
 - (2) That the absence from duty because of the medical emergency is, or is expected to be, at least ten (10) workdays;
 - (3) That the potential leave recipient has previously donated a minimum of four (4) hours of annual leave to the *Annual Leave Bank* in the leave year in which the employee submitted the application to become a leave recipient;
 - (4) That the potential leave recipient has made, and final agency action has been taken on,

application(s) for the maximum amount of advanced leave, either sick leave or annual leave as appropriate, available to him or her; and

- (5) That the potential leave recipient does not possess paid leave, including compensatory time, Exempt Time-Off, or personal leave (if applicable), to cover the expected period of absence from work.
- d. In making a determination as to whether a medical emergency is likely to result in a substantial loss of income, the Director, DCHR, will not consider factors other than whether the absence from duty because of the medical emergency will be at least ten (10) workdays and, as a result of such absence, the employee's pay on a biweekly basis will be reduced to fifty percent (50%) or less of his or her biweekly rate of basic pay.
- e. The fact that a potential leave recipient requested and has been denied advanced leave will not be the sole basis for denying an application to become a leave recipient.
- f. The Director, DCHR, will notify the applicant in writing within fifteen (15) workdays of receipt of the application of the approval or disapproval on his or her request. If the application is not approved, the notification will include the reason(s) for the disapproval.
- g. When an application to become a leave recipient is approved, the Director, DCHR, will:
 - (1) Notify the agency HR Advisor of the total number of hours of *Annual Leave Bank* hours that have been approved for the leave recipient; and
 - (2) Reduce the *Annual Leave Bank* balance by the dollar value of the annual leave to be credited to the leave recipient from the *Annual Leave Bank*. The value of the annual leave credited to a leave recipient from the *Annual Leave Bank* will be in an amount equal to the recipient's hourly rate of basic pay multiplied by the number of hours of annual leave received.
- h. When there are insufficient funds in the *Annual Leave Bank* to fulfill an applicant's request, the Director, DCHR, may only approve an amount that does not cause the annual leave bank to exceed its available balance.
- i. When leave recipients cannot be granted the full amount of annual leave requested because of insufficient *Annual Leave Bank* balances, and additional hours are to be donated at a later date. The Director, DCHR, will first reevaluate the request(s) of the leave recipient(s) who did not receive the full amount of annual leave requested prior to acting on the application.
- j. Annual leave cannot be borrowed, contributed, or otherwise transferred between the *Annual Leave Bank* administered by the DCHR; an agency's Voluntary Leave Transfer Program; annual leave banks administered by another personnel authority; nor between District government, federal government or any other leave banks.

9. Crediting *Annual Leave Bank* Hours

- a. *Annual Leave Bank* hours may be credited to a leave recipient effective the first (1st) pay period during which the employee suffered a substantial loss of income.
- b. *Annual Leave Bank* hours may not be used to liquidate any indebtedness for any period of advanced leave.
- c. During each biweekly pay period a leave recipient is affected by a medical emergency, he or she must use any accrued annual leave (and sick leave, if applicable) before using annual leave withdrawn from the *Annual Leave Bank*.
- d. *Annual Leave Bank* hours may only be credited to a leave recipient in an amount necessary to provide the employee, when combined with the employee's accrued leave, his or her biweekly basic pay.
- e. Upon receipt of notification from the DCHR that an application to become a leave recipient has been approved, the employing agency will, on a biweekly pay period basis:
 - (1) Prepare and forward to the OPRS the "*Leave Adjustment Form*" (copy attached) crediting the leave recipient's annual leave balance with the biweekly *Annual Leave Bank* hours pursuant to paragraph 9 (d) above, with the following notation in the "*Remarks*" section:

"Receipt of annual leave bank hours;" and

- (2) Make the following notation in the "*Remarks*" section of the Time and Attendance Report (as applicable) for the pay period in which the annual leave is received:

"Employee's annual leave balance credited with annual leave bank hours."

[Note: PeopleSoft, the personnel/payroll system utilized by most District government agencies, contains no *fields* which will allow the user to input the above remark (notation).

10. Use of Leave Withdrawn from the *Annual Leave Bank*

- a. A leave recipient may use leave withdrawn from the *Annual Leave Bank* only for the specific medical emergency for which the application to become a leave recipient was approved.
- b. A leave recipient will continue to accrue annual leave and sick leave while using leave withdrawn from the *Annual Leave Bank*.

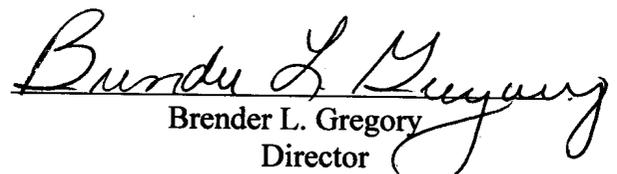
11. Termination of Medical Emergency

- a. The medical emergency affecting a leave recipient will terminate when:

- (1) The leave recipient's employment with the District government is terminated; or
 - (2) The leave recipient is no longer affected by the medical emergency.
- b. The employing agency HR Advisor will ensure that any annual leave withdrawn from the *Annual Leave Bank* and not used before the termination of the leave recipient's medical emergency is returned to the leave bank.
- c. Annual leave that is returned to the *Annual Leave Bank* will be in an amount equal to the leave recipient's hourly rate of basic pay multiplied by the number of hours of annual leave not used.

12. Records and Reports

- a. The DCHR will maintain the following records on a leave year basis:
- (1) The name, grade, step (if applicable), and scheduled rate of basic pay of each leave donor, the total number of hours of annual leave he or she donated to the *Annual Leave Bank* and the corresponding dollar value of the leave donated;
 - (2) The number of applications approved and disapproved for medical emergencies affecting employees;
 - (3) The number of applications approved and disapproved for medical emergencies affecting employees' family members; and
 - (4) The name, grade, step (if applicable), and scheduled rate of basic pay of each leave recipient, the total number of hours of annual leave he or she received from the *Annual Leave Bank*, and the corresponding dollar value of the leave received.
- b. The DCHR will maintain, for each leave year quarter, an accounting of the total hours and corresponding dollar value of employee annual leave donations to and withdrawals from the *Annual Leave Bank*.
- c. The DCHR will review and compile the accounting reports required by paragraph 12 (b) above and provide a written report to the Mayor within sixty (60) calendar days following the end of each leave year quarter.


Brender L. Gregory
Director

Attachments:

- *D.C. Standard Form No. ALB-01, Application to Donate Annual Leave to the Annual Leave Bank (Rev. 10/08)*

- *D.C. Standard Form No. ALB-02, Application to Receive Annual Leave Bank Hours* (Rev. 10/08)
- *Leave Adjustment Form* [Note: the *Leave Adjustment Form* may be accessed on the OPRS intranet site at www.oprs.in.dc.gov]
- *D.C. Standard Form 1199, Request for Advance Leave or Leave Without Pay* (Rev. 10/08)

2. Is a certification of the medical emergency from one or more physicians, or other appropriate expert(s), with respect to the medical emergency attached?

YES NO

3. Has the employee requested advanced leave to cover the period of absence anticipated for the medical emergency?

YES NO

4. Has the employee exhausted all paid leave that can be utilized for the period of absence because of the medical emergency (shown below)?

Annual Leave YES NO

Sick Leave YES NO

Compensatory Time YES NO

Personal Leave (If Applicable) YES NO

Advanced Leave YES NO

5. Certifying Official:

Name and Title (Print): _____

Signature: _____

(Date)

TO BE COMPLETED BY THE D.C. DEPARTMENT OF HUMAN RESOURCES

1. Decision on application to become a leave recipient:

Approved; _____ Number of hours

Disapproved (Reason(s) for disapproval is explained below)

Explanation: _____

2. The dollar value of the annual leave to be received is: \$ _____. (The dollar value of the annual leave is determined by multiplying the recipient's hourly rate of pay by the number of annual leave hours received.)

3. Approving Official

Name and Title (Print): _____

Signature: _____

(Date)

Distribution: Original – DCHR Annual Leave Bank Administrator; **Copy** – Employee; **Copy** – Agency HRA

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
D.C. Department of Human Resources

Request for Advance Leave or Leave Without Pay

TO: _____ DATE: _____

I, _____ an employee of the _____
(Organizational Unit)
within the _____, request an advance of _____ hours of
(Department or Agency)

leave to include the following:

_____ Hours of Annual Leave _____ Hours of Sick Leave _____ Hours of Leave Without Pay (LWOP)

The leave will begin on _____ and end on _____. The reason(s) for this request is/are:

EMPLOYEE ID NO. _____ ORGANIZATIONAL CODE: _____

Check here if a medical certificate from your physician is attached to the DCSF 1199 form. A medical certificate must be included if your request is for medical reasons.

I understand that I am expected to return to duty on the first work day following the expiration of this leave or to notify my supervisor at least one (1) week before this leave request expires of the reason(s) why I am unable to return, and to specify the earliest date I shall return to work. I UNDERSTAND THAT IF I FAIL TO DO EITHER OF THE ABOVE ACTIONS, I MAY BE PLACED IN AN ABSENCE WITHOUT LEAVE (AWOL) STATUS. I ALSO UNDERSTAND THAT I AM RESPONSIBLE FOR PAYING MY SHARE OF THE HEALTH BENEFITS CONTRIBUTION DURING THE TIME I AM ON LEAVE WITHOUT PAY, OR THERE IS INSUFFICIENCY SALARY TO COVER MY HEALTH BENEFITS CONTRIBUTION.

(Employee Signature)

EMPLOYMENT RECORD INFORMATION

Title of Position: _____ EOD Date (w/Department/Agency): _____
Series and Grade: _____ Health Benefits Code: _____
Present Leave Balance: Annual Leave _____ Sick Leave _____
Leave Used (Current Year): Annual Leave _____ Sick Leave _____ LWOP _____ AWOL _____
Previous Leave advances (Current Year): Annual Leave _____ Sick Leave _____ LWOP _____
Total Service: District Government: Years: _____ Months: _____ Federal Government: _____ Years: _____ Months: _____

Signature of HR Advisor or Time and Attendance Representative

(Over)

RECOMMENDATION SUPERVISOR

Recommendation of Supervisor:

APPROVE

DISAPPROVE

Dates: From _____ to _____

Signature of Supervisor

FINAL DETERMINATION AGENCY HEAD

Final Determination:

APPROVED

DISAPPROVED

Dates: From _____ to _____

Signature of Agency Head (or Designee)

Distribution: Original – Employing Agency; Copy – Employee; Copy – OPF; Copy – OPRS; Copy – DCHR Benefits

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