

**Glenn Research Center
Leave Program Fact Sheet**

RESTORATION OF ANNUAL LEAVE

Reasons for Restoration

Annual leave may be restored due to:

- Administrative Error
- Exigency of the Public Business – an exigency of major importance precludes an employee from using excess annual leave.
- Illness or Injury

Annual Leave may only be restored due to an exigency or due to sickness if annual leave was scheduled in writing before the start of the third biweekly pay period prior to the end of the leave year.

Exigency of Public Business Requests

An exigency of public business determination must be made before the “use or lose” leave is canceled. An exigency of public business exists if the work situation or operational demand is of such importance that employees cannot be excused from duty.

Exigency requests are approved by the Personnel Officer. Such requests must be submitted through supervisory channels for concurrence and must include:

- an explanation of the claimed exigency;
- length of the exigency (beginning and ending dates);
- information that supports that an exigency exists such as costs, productivity, work schedules, safety, and/or health issues that would be impacted if the exigency is not approved;
- employees impacted;
- why no reasonable alternatives for doing the work are available;
- the effects of postponement or definition of the work;
- why other employees can't do the work; and
- documentation that the employee(s) had previously scheduled to use leave during the dates of the exigency.

Annual leave may not be cancelled until an exigency of public business request is approved.

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Requests for Restoration of Annual Leave

Once the leave is lost, an employee request restoration of annual leave by submitting the following to the Personnel Officer:

- Exigency of Public Business – dates of approved exigency, exigency request and approval documentation, documentation that shows the leave was scheduled in advanced in writing.
- Illness or Injury – medical documentation that supports the claim that the absence was based on illness and the documentation that shows the leave was scheduled in advanced in writing.
- Administrative Error – a brief explanation of the error and supporting documents.

Establishing and Using Restored Annual Leave

A separate leave account is established for each employee approved to have their annual leave restored. It will not be included in the regular annual leave balance. The Financial Management Division will notify the employee once the separate leave account is established.

An employee must schedule and use restored annual leave not later than the end of the leave year ending 2 years after—

- the date of restoration of the annual leave forfeited because of administrative error;
- the date fixed by the head of the agency or designee as the date of termination of the exigency of the public business; or
- the date the employee is determined to be recovered from illness or injury and able to return to duty.

References:

5 USC Chapter 63

5 CFR Part 630, Subpart C(630.306 – 311)

http://www.access.gpo.gov/nara/cfr/waisidx_03/5cfr630_03.html

NPG 3600.1, Attendance and Leave

GLPG 3630.1, Absence and Leave

OHR-13, Delegations of Authority

Office of Human Resources Web site

<http://www.grc.nasa.gov/WWW/OHR/leave.htm>

Office of Personnel Management Leave Administration Web Site

<http://www.opm.gov/oca/leave/index.htm>

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