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**Tips and Tidbits
Issue #: 3-2008**

Is it an Employee's Right to Execute Leave Exactly as Requested? Who is Responsible for Determining When/If Annual Leave May Be Taken?

Annual leave is an important benefit for all employees. As such, employees have the right to the use of their accrued annual leave; however, approval of [requested] scheduled dates is at the discretion of Management. Employees are responsible for submitting leave in a timely manner with the understanding that depending upon mission requirements, their leave may be approved as requested; approved with changes to the desired dates; or, disapproved altogether. *Normally*, an employee will not be denied the use of annual leave when he or she may otherwise be required to forfeit accruals because of the maximum accumulation provision. Please see Tips and Tidbits 10-2007 for an explanation of use or lose annual leave. In all cases however, denial of the use of annual leave should be based on factors that are mission driven and reasonable.

In order to preclude potential misunderstandings, which could ultimately result in an employee being charged as absent without leave (AWOL) [in those instances where leave is not properly approved prior to an employee's absence], supervisors are encouraged to establish office leave policy, which, at a minimum, dictates leave request submission dates and approval procedures. Accordingly, as part of this policy, at the beginning of each leave year, employees should be required to provide their anticipated leave schedules as early submission will facilitate Management in scheduling workload requirements and available manpower appropriately. Careful planning and scheduling by supervisory personnel should afford opportunity, even during peak work periods, to encourage and allow all employees an annual period of leave for rest and relaxation.

Approval of leave *will normally* be granted on a first request received basis. In the event of conflict as to choice of vacation periods, individual seniority based on total creditable Federal service within each group of employees should be applied as per the current Labor-Management Agreements (LMA), both NAF and appropriated fund. In these instances where employee are competing for desired dates, other factors may also be considered, among those use or lose leave status of the individual employees and employees previously granted those dates in past years.

Exigencies will routinely occur. In those situations where circumstances are beyond the employee's control and preclude prior approval of the absence, the employee should notify the appropriate supervisor as soon as practicable or within a reasonable time as determined by the appropriate authority or dictated in the office leave policy.

If you have questions regarding the use or approval of annual leave, please contact your servicing Human Resources Specialist for assistance.

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