

State of Wisconsin

DOA – DIVISION OF PERSONNEL MANAGEMENT

– CLASSIFICATION AND COMPENSATION BULLETIN –

Date: November 16, 2018

Subject: Annual Leave Carryover Guidelines

Locator No: DPM-0485-CC/POL

The purpose of this bulletin is to provide administrative guidelines for end of year annual leave carryover. These provisions do not include the carryover of personal holidays, which may not be carried over except where the appointing authority has denied an employee the opportunity to use them (see s. 230.35(4)(d)4., Wis. Stats.), or where the hours have been donated as catastrophic leave credits.

SECTION I. STATUTE AND ADMINISTRATIVE CODE

“Annual leaves of absence shall not be cumulative except [for termination/sabbatical] and except that unused annual leave shall, subject to the rules of the administrator, be used in the year following the one in which it was earned, but no employee shall lose any unused annual leave because the employee’s work responsibilities prevented the usage of the unused annual leave during the first 6 months of the year following the year in which it was earned.” **Section 230.35(1)(d), WI Stats.**

“Employees who request and receive approval from their appointing authority or who are required by their appointing authority to defer all or part of their annual leave for a given calendar year shall be permitted to take it within the first 6 months of the ensuing calendar year.” **ER 18.02(6)(b)1, Wis. Admin Code.**

The administrative code at ER 18.02(6)(b), Wis. Admin Code, provides additional rules governing annual leave carryover. These rules are also referenced in Wisconsin Human Resources Handbook Chapter 716, Sec. 716.040.

“Personal holidays earned each year shall be noncumulative. However, if an appointing authority denies an employee the opportunity to take a personal holiday during the calendar year earned, the employee shall be permitted to carry over such day to the next year. In no event may such denial and carry-over occur in subsequent successive years.” **Section 230.35(4)(d)4., Wis. Stats.**

**Agencies with a written policy allowing requests for carryover of up to 80 hours of annual leave will be permitted to continue that policy for calendar year 2018 to ensure proper employee notice. All agencies will move to the limitation of 40 hours, with approved exceptions, of permitted carryover for calendar year 2019.*

SECTION II. ADMINISTRATION OF ANNUAL LEAVE CARRYOVER

- A. Limiting Annual Leave Carryover to 40 hours.** Except in special circumstances, where an employee was unable to take annual leave due to limitations related to workload or assigned duties, *annual leave carryover will be limited to 40 hours**. Any exceptions to allow for more than 40 hours of annual leave carryover should be reviewed by a central authority within the agency and approved only by the agency head or designee. Delegation of this responsibility to a designee is limited to Deputy Secretary and Assistant Deputy Secretary, or equivalent.
- B. Exceptions.** The limit of 40 hours of carryover will not apply in the following situations:
1. Employees completing an original probationary period during the last 6 months of the calendar year shall have the remainder of the calendar year and the first 6 months of the following calendar year in which to use annual leave earned in the previous year.
 2. If the projected number of hours in pay status used to anticipate an employee's annual leave changes during the calendar year, and the employee is granted additional annual leave during the last 6 months of the calendar year due to the change, the employee shall have the remainder of the calendar year and the first 6 months of the ensuing year in which to use the additional annual leave earned in the previous year.
 3. Recipients of catastrophic leave credits are not subject to limitations on end of year carryover.
 4. Catastrophic leave donors shall have the remainder of the calendar year and the first 6 months of the ensuing calendar year in which to use previously donated leave credits returned to the donor during the last 6 months of the calendar year.
 5. Employees who have unused annual leave that was accrued before and during a period of military active duty (other than for training) shall have two years following the year of reemployment to use such leave. See Section IV of bulletin OSER-0046-CLR/LR, dated August 4, 2004, for details.
- C. Leave Carryover Beyond June 30.** Agencies shall not approve carryover of annual leave beyond June 30, except for leave accrued during military leave, or where the employee's work responsibilities **prevented** the usage of the unused annual leave by June 30, in accordance with s. 230.35(1)(d), WI Statutes. (See the first paragraph in Section I., above.)

SECTION III. REFERRAL OF QUESTIONS

Employee Questions: Employees with questions regarding leave carryover should contact their agency Human Resources or Payroll Office directly.

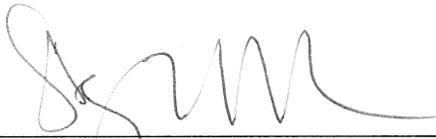
Employer Questions: Employer questions should be directed to:

Christy Plautz at Christy.Plautz@Wisconsin.gov or by phone at (608) 266-8232, or the Bureau of Classification and Compensation at DOADPMCompEmploymentRelGenI@wisconsin.gov.

Employer questions regarding *payroll processing or manual adjustments* should be directed to:

DOA Central Payroll:

Stacie Happel at (608) 266-8972



Stacey L. Rolston, Deputy Division Administrator
Division of Personnel Management