



CIVILIAN PERSONNEL BULLETIN

UNITED STATES MILITARY ACADEMY
WEST POINT, NEW YORK 10996

10 November 2016

Number 17-05

REQUESTING RESTORATION OF FORFEITED ANNUAL LEAVE

(USE OR LOSE ANNUAL LEAVE)

This bulletin is a continuation of Civilian Personnel Bulletin Number 16-18. The purpose of this bulletin is to provide guidance on how to properly request restoration of forfeited annual leave.

Requirements

Use or lose annual leave may be restored **ONLY** if the leave was scheduled in writing before the start of the third bi-weekly pay period prior to the end of the leave year (**27 November 2016**) and **forfeited** due to the following:

- **Administrative Error**
- **Exigency of the Public Business**
The annual leave was denied due to an exigency of major importance as determined by the Superintendent, Garrison Commander, or appropriate tenant activity commander.
- **Sickness**
The annual leave was forfeited because of a period of absence due to an employee's sickness or injury that occurred late in the leave year or was of such duration that the excess annual leave could not be rescheduled for use before the end of the leave year.

Restoring Forfeited Leave

If annual leave is forfeited in spite of attempts to schedule leave in accordance with the instructions in Civilian Personnel Bulletin 16-18, the following steps must be taken to request restoration of the lost leave.

- A written request specifying the amount of forfeited leave must be submitted by the employee through his/her supervisor to the Civilian Personnel Advisory Center (CPAC) **after** the employee's Leave and Earnings Statement (LES) indicates that the leave has been forfeited. **This request cannot be submitted in advance.** This information will not be available until the employee receives the LES for the pay period ending **07 January 2017**.
- Supporting documentation must be attached, such as the OPM Form 71, showing the dates of the scheduled leave, the date the leave was requested, and **the date the leave was approved**. The following must also be included:
 - In the case of illness - evidence that sick leave was taken instead of the scheduled annual leave, and an explanation of why the annual leave could not be rescheduled.
 - In the case of administrative error - evidence showing the error.

- In the case of urgent public business - a memorandum signed by the appropriate official (Superintendent, Garrison Commander, or tenant activity commander) indicating that operational demands were of such importance as to preclude the use of leave scheduled in advance. The memorandum must include the starting and ending dates of the exigency period, and an explanation that there was no reasonable alternative to the cancellation of the scheduled leave and the leave could not be rescheduled.
- The request will be reviewed and upon determination that the documentation is adequate, the CPAC will forward the request to the proper approving authority. The employee will be informed in writing of the decision.
- The restored leave will be maintained in a separate leave account and will be recorded on the employee's LES.
- Future requests for annual leave that are to be charged to the restored leave account, rather than the regular leave account, and should be submitted on the OPM Form 71, clearly indicating the amount of leave to be charged to the restored account in item #4 (Type of Leave/Absence). Since any restored leave not used by the expiration period will be forfeited with no further rights to restoration, restored leave should be used before regular leave.

Time Limit for Use of Restored Leave

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

- The date fixed 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.
 - Note: This leave year ends **07 January 2017**.

Restored annual leave that is not used within the established time limits is forfeited with no further right to restoration.

Any questions on this matter should be directed to your LMER Specialist in the CPAC.

//SIGNED//
CAROL L. MCQUINN
Human Resources Officer

Distribution:
1-ea Civilian Employee