**JUDICIAL BRANCH**

**TEMPORARY POLICY**

# **Temporary 2021 Annual Leave and Compensatory Time Policy**

**The Judicial Branch is adopting the following temporary policy applicable to all Judicial Branch employees regarding their 2021 Annual Leave and Compensatory Time. This policy is temporary and subject to revision at any time. This policy does not confer any new or additional rights to leave and compensatory time.**

1. Under Judicial Branch Personnel Rules 5.2.4, Employees may not carry-over into a new calendar year more than 318 hours of annual leave (“AL”).
2. Employees with leave carry-over in excess of 318 hours of AL as of December 31, 2021 may request permission to carry over the excess leave. Such request must be submitted in writing on or before December 31, 2021.
3. Whether to approve the excess AL carry-over request is at the discretion of the appointing authority who may fully grant, partly grant, or deny the request.
4. The appointing authority may limit the number of hours that may be carried over, set a time limit by which an Employee must use the approved carried over excess AL, or request that an Employee submit a plan detailing how the carried over excess AL will be used.
5. Employees who separate from employment between January 1, 2022 and June 30, 2022, will forfeit any approved 2021 excess AL carry-over and will not be eligible for payment of approved excess AL carryover at that time.
6. This policy does not apply to employees who were unable to use AL due to approved Worker’s Compensation, Short-Term Disability (STD), or Family and Medical Leave Act (FMLA).
7. FLSA regulations will continue to be followed for FLSA-covered employees whose compensatory time cannot be forfeited.
8. The Judicial Branch will honor approved excess AL carry-over balances from State employees transferring from another branch of State government or State entity into the Judicial Branch. The excess AL carryover balances must be used in keeping with these guidelines or else be forfeited.
9. Each Court/non-Judicial Branch agency continues to be responsible for keeping track of their employees’ time.

Adopted: December 1, 2021