



State of Delaware Department of Human Resources

ANNUAL LEAVE CARRYOVER GUIDELINES

Effective Date: 10/1/2016	Supersedes: Request for Annual Leave Carryover Exception from 9/2006
Application: Executive Branch Agencies, All Merit and Exempt Employees	Merit Rule: 5.2.4
Authority: Delaware Code, Title 29, Chapter 59	Revised: March 8, 2018

PURPOSE: To establish a uniform standard for submission of request(s) to carryover annual leave in excess of the entitlement as stated in Merit Rule (MR) # 5.2.4.

GUIDELINES: Managers should encourage employees to take annual leave at regular intervals throughout the year. Unfortunately, there are situations when time off cannot be granted (due to significant staffing shortages, major special projects, illness, etc.) possibly creating an excess in the allowable amount of leave carryover for an employee. When exceptional reasons exist that prevent an employee from using their annual leave, and the annual leave accrued exceeds the maximum carryover, an agency may make a written request to the Director of the Department of Human Resources (DHR) for approval to carryover the excess annual leave into the new year.

Even though employees should be held accountable for their own leave balance, we recommend that the agency human resource office, manager, or section timekeeper inform each employee in October if it appears they will be in a “use or lose” status at the end of the year. When the employee is in a “use or lose” status, both the manager and the employee should make every effort to schedule the annual leave prior to the end of the calendar year. If it is not possible for the employee to use their excess annual leave during the last calendar year quarter and there is a valid reason the annual leave could not be taken throughout the calendar year, the agency may make a written request to carryover the excess annual leave.

The standards for making such a requests are as follows:

1. All request(s) for Annual Leave Carryover:
 - Must be submitted prior to November 30th. Requests for extensions can be made for extenuating circumstances and will be reviewed on a case-by-case basis;
 - Must state a **detailed** reason the annual leave could not be used prior to the start of the new calendar year;
 - Must state a **detailed** plan for using the carryover amount prior to the start of the new fiscal year on July 1st.

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2. Requests made on consecutive years for the same individual will not be considered and should not be submitted for approval.
3. Annual leave carryover approvals will be capped at a maximum of 80 hours unless the employee was on approved FMLA, Short-Term Disability, and/or Workers Compensation.
4. Should the Governor declare 12/24 or 12/26 a holiday creating leave excess of 7.5 hours, employees do not have to submit a carryover exception form to DHR. In this instance, 7.5 hours will be considered as an automatic approval.
5. Carry-over balance of 318 hours will take into account all annual leave taken or adjusted through and including December 31st. When submitting annual leave carry-over requests to DHR, the December accrual rate should not be included in the total requested hours and will be applied according to the schedule outlined in Time and Labor and eStar systems.

Requests for annual leave carryover should be submitted using the provided Annual Leave Carryover Request form to class_comp_hrm@state.de.us.