



## *HELPFUL TIPS*

### **ANNUAL LEAVE MAY BE RESTORED WHEN THERE IS AN:**

#### **EXIGENCY OF THE PUBLIC BUSINESS**

An exigency of the public business may be said to exist when there is an urgent need for the employee to be at work - is of major importance and that excess annual leave cannot be used. An employee's use of earned compensatory time off or credit hours does not constitute an exigency of the public business. If the use of earned compensatory time off or credit hours that are about to expire results in the forfeiture of excess annual leave, the forfeited leave cannot be restored.

#### **ILLNESS**

Annual leave which was forfeited, may be restored when an illness (or other personal health condition for which sick leave was approved) occurs so late in the leave year that it is impossible for the employee to use scheduled leave.

#### **ADMINISTRATIVE ERROR**

An administrative error includes an action that is in violation of law, regulations, or nondiscretionary agency policy and includes failure to put into effect a decision that has been made properly.

#### **CREDITING RESTORED LEAVE AND USAGE**

Annual leave which is restored based on exigency of the service, administration error, or illness will be credited to a separate account and used no later than the end of the leave year which ends two years after the date the leave was restored.

#### **REVIEWING OFFICIAL**

A reviewing official is responsible for reviewing the restored leave. The reviewing official must ensure all data is accurate prior to submitting the request to NSSC Payroll Office. The reviewing official will also sign the form to indicate the hours and reason for the request has been validated and complies with 5 CFR 630.306(a) 1, 2 or 3." The reviewing official and approving official cannot be the same individual.

#### **APPROVING OFFICIAL**

An approving official must approve the restoration of leave which was forfeited as a result of illness, administrative error, or an exigency to service.

**Please reference NPR 3600.1A for additional information on Restored Annual Leave.**

**Fact Sheet available at <https://www.opm.gov/policy-data-oversight/pay-leave/leave-administration/fact-sheets/restoration-of-annual-leave/>**