

MEMORANDUM

State of Alaska
Department of Administration
Division of Personnel

To: All Human Resources Managers

From: Sharon Barton
Director
Division of Personnel

Date: November 13, 2000

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CC: All Division of Personnel Employees

Subject: Interpretive Memorandum 00-G-004 - REISSUED WITH ADDENDUM

Re: Section 11.05 – Seasonal Leave Without Pay -- GGU

As most of you are already aware, the new leave provisions in the GGU collective bargaining agreement will allow employees to elect to either remain in the current annual/sick leave program or to convert to a personal leave program. The personal leave program will be implemented for the leave year beginning December 16, 2000.

The election to convert to a personal leave program applies to seasonal employees, including those seasonal employees who have been placed on seasonal leave without pay (SLWOP) during the period between July 1 and December 16, 2000. One effect of this may be that some seasonal employees may have a leave balance as of December 16 which exceeds the amount normally permitted to be “carried over” under Article 11.05 (i.e., more than 187.5 hrs.). We have been asked if the amount of leave in excess of 187.5 hrs. as of December 16 will be automatically paid out in cash to such employees. The short answer is “no.”

For purposes of this initial leave conversion, Article 11.05 is waived **in those instances where the leave conversion itself** results in a leave balance exceeding 187.5 hours for an employee who was placed on SLWOP prior to December 16. For example, a seasonal employee is laid off on September 29, 2000 and elects to retain 187.5 hours of annual leave as provided in Article 11.05; however, the employee subsequently elects to convert to personal leave and – as a direct result of that conversion – has 100 hours of sick leave (from a 200 hr. sick leave account) converted to personal leave for a total personal leave balance of 287.5 hours on December 16, 2000. In this example, the employee may retain the full balance of 287.5 hours going into the next work season.

Article 11.05 will thereafter apply when the employee is placed on SLWOP following recall to work. In the interim, an employee may elect to cash-in personal leave under the provisions of Article 26.07, subject to the following conditions: 1) a 37.5 hrs. personal leave must be maintained, and 2) no more than 75 hrs. of personal leave which **resulted from the conversion** (i.e., was previously sick leave) may be cashed-in. Using the example noted above, the employee could elect to cash in 75 hrs. of the converted sick leave ($100 - 75 = 25$) and an additional 175 hours of the converted annual leave being “carried over” ($187.5 - 175 = 12.5$), giving the employee a total cash-in of 250 hrs. ($175 + 75 = 250$) while still retaining 37.5 hrs. as required by Article 26.07 ($25 + 12.5 = 37.5$).

ADDENDUM:

Nothing contained in this memo is to be construed to affect the time, method, or manner in which a Department allows seasonal employees to cash-in annual or personal leave.