

2 AAC 08.060(a) is amended to read:

(a) At least **10** [FIVE] days of personal leave must be used each leave year. Employees and supervisors will be advised by the employee's payroll office on or before **October** [NOVEMBER] 16 of each year how many days of **personal** leave must be used to fulfill the **10-day** [FIVE-DAY] minimum requirement **under AS 39.20.225, this section and 2 AAC 08.062.** For the purpose of this subsection, "personal leave" means paid **personal** leave or authorized leave without pay; it does not include disciplinary leave without pay and unauthorized leave without pay.

2 AAC 08.060(b) is amended to read:

(b) If the employee does not schedule the mandatory **10** [FIVE] days' **of personal** leave or remainder of it, the employee's supervisor may direct **the employee to use** [THAT] the appropriate amount of **personal** leave [BE USED] to satisfy the **10-day** [FIVE-DAY] requirement.

2 AAC 08.060(c) is amended to read:

(c) If at the end of the leave year the employee has failed to use the **10** [FIVE] days of **personal** leave required, the difference between **10** [FIVE] days and the amount of personal leave actually used and its cash value will be deducted from the **employee's personal** leave account and cash value balances. No payment will be made to the employee for the **personal** leave that was deducted.

2 AAC 08.060(d) is amended to read:

(d) Notwithstanding the provisions of (c) of this section, the unused portion of the mandatory **10-days'** [FIVE-DAYS'] **personal** leave will not be deducted from the **personal**

leave account and cash value balances if the employee's department or agency head certifies in writing that the employee was denied the opportunity to use mandatory **personal** leave.

2 AAC 08.060(h) is repealed and readopted to read:

(h) [UP TO] Five **or fewer** days of **personal** leave cashed-in under 2 AAC 08.065 may be applied to the employee's mandatory **personal** leave requirement **under AS 39.20.225, this section, and 2 AAC 08.062.** (Eff. 6/28/84, Register 91; am 10/16/87, Register 107; am 8/29/96, Register 143; am __/__/__, Register ____)

Authority: AS 39.20.200 AS 39.20.225 AS 39.20.320

2 AAC 08 is amended by adding a new section to read:

2 AAC 08.062. Accumulation of personal leave. (a) Except as provided in AS 39.20.240, this section, and 2 AAC 08.060, personal leave that is not taken by an employee during the leave year accumulates for the employee's use in succeeding leave years.

(b) Except as provided in (d), (e) and (f) of this section, an employee may not accumulate more than 1,000 hours of personal leave at the end of each leave year.

(c) If an employee's personal leave balance is projected to exceed 1000 hours at the end of the leave year, the employee and supervisor will be notified by the employee's payroll office by May 1 of each year, and the employee must submit a plan to use the personal leave to the employee's supervisor for written approval by June 1 of each year. The supervisor will approve the plan so long as the plan does not significantly disrupt business operations. If the employee's plan is not approved, the supervisor will suggest an alternative plan. If the employee fails to submit a plan, adhere to an approved plan, or the employee and the employee's supervisor fail to agree on a plan, the employee's division director or equivalent will order the employee to take sufficient personal leave to reduce the employee's balance or potential leave

balance at the end of the leave year below the accumulation maximum. The agreed upon plan may be amended with mutual agreement of the employee and supervisor.

(d) An employee may be approved to carry over more than 1000 hours of accrued personal leave to succeeding leave years if the department or agency head certifies in writing that the employee was unable to reduce the employee's accrued hours because the employee was denied the opportunity to use the personal leave due to

- (1) fire, flood, or other emergency effecting the employer's operation; or
- (2) the assignment of work of a priority nature over a substantial period of the

leave year.

(e) If on December 16th of the leave year, an employee has an accumulated balance of more than 1000 hours, the difference between the employee's personal leave balance and 1000 hours shall be deducted from the employee's personal leave account and paid to the employee at the cash value except that the requirements of 2 AAC 08.060(c) continue to apply.

(f) This subsection only applies to an employee who has a balance of accumulated personal leave in excess of 400 hours on December 16, 2013. Each such employee shall, until that balance becomes 400 hours or less on December 16 of any leave year,

- (1) be exempt from the limitation under (b) of this section; and
- (2) take at least 15 days of personal leave during each leave year in place of

the 10 days under 2 AAC 08.060. (Eff. 6/28/84, Register 91; am 10/16/87, Register 107; am 8/29/96, Register 143; am __/__/____, Register ____)

Authority: AS 39.20.200 AS 39.20.225 AS 39.20.320

2 AAC 08.065(a) is amended to read:

(a) An employee covered by this chapter who has at least five days of accrued **personal** leave may cash in personal leave **six or fewer times in a leave year**. The employee's **personal** leave account and cash value balances will be reduced by the number of days and cash value of personal leave cashed in. **A** Leave cash-in must not reduce an employee's leave balance to less than five days.

(Eff. 4/6/86, Register 102; am 10/16/87, Register 107; am 7/25/94, Register 137; am 8/29/96, Register 143; am 7/4/2010, Register 196; am __/__/____, Register ____)

Authority: **AS 39.20.200** **AS 39.20.225** AS 39.20.320

2 AAC 08.070(c) is amended to read:

(c) Leave donated under the authority of this chapter or a collective bargaining agreement does not reduce the [FIVE-DAY] mandatory leave requirement **under AS 39.20.225, AS 39.20.240, 2 AAC 08.060 and 2 AAC 08.062**. (Eff. 6/28/84, Register 91; am 4/6/86, Register 102; am 8/29/96, Register 143; am __/__/____, Register ____)

Authority: AS 39.20.200 AS 39.20.245 AS 39.20.320

2 AAC 08.999(4) is amended to read:

(4) "leave year" means the period from the 16th of December through the 15th of December of the following year **and includes the 12-month period described in AS 39.20.295;** (In effect before 6/28/84; am 6/28/84, Register 91; am 10/16/87, Register 107; am 5/16/90, Register 132; am 10/18/90, Register 137; am __/__/____, Register ____)

Authority: **AS 39.20.295** AS 39.20.320