

U.S. OFFICE OF PERSONNEL MANAGEMENT

PAY & LEAVE LEAVE ADMINISTRATION

Fact Sheet: Annual Leave (General Information)

Annual Leave Entitlement

An employee may use annual leave for vacations, rest and relaxation, and personal business or emergencies. An employee has a right to take annual leave, subject to the right of the supervisor to schedule the time at which annual leave may be taken. An employee will receive a lump-sum payment for accumulated and accrued annual leave when he or she separates from Federal service or enters on active duty in the Armed Forces and elects to receive a lump-sum payment.

Employee Type	Accrual Rates		
	<i>Less than 3 years of service *</i>	<i>3 years but less than 15 years of service *</i>	<i>15 or more years of service *</i>
Full-time employees	1/2 day (4 hours) for each pay period	3/4 day (6 hours) for each pay period, except 1 1/4 day (10 hours) in last pay period	1 day (8 hours) for each pay period
Part-time employees	1 hour for each 20 hours in a pay status	1 hour for each 13 hours in a pay status	1 hour for each 10 hours in a pay status
Uncommon tours of duty	(4 hours) times (average # of hours per biweekly pay period) divided by 80 = biweekly accrual rate.	(6 hours) times (average # of hours per biweekly pay period) divided by 80 = biweekly accrual rate.**	(8 hours) times (average # of hours per biweekly pay period) divided by 80 = biweekly accrual rate.
SES, Senior Level (SL), and Scientific or Professional (ST) positions, and employees in equivalent pay systems, as determined by OPM	8 hours for each pay period, regardless of years of service. (See Extension of Higher Annual Leave Accrual Rate to SES and SL/ST Equivalent Pay Systems fact sheet)		

Note 1: A temporary employee with an appointment of less than 90 days is entitled to accrue annual leave only after being currently employed for a continuous period of 90 days under successive appointments without a break in service. (This restriction only applies to the accrual of annual leave. If an employee on such an appointment already has annual leave to his or her credit from a previous appointment, he or she is allowed to use this annual leave during the temporary

appointment.) After completing the 90-day period of continuous employment, the employee is entitled to be credited with the leave that would have accrued to him or her during that period.

Note 2: An intermittent employee (i.e., a part-time employee who does not have an established regular tour of duty during the administrative workweek) is not entitled to accrue annual leave.

* See Creditable Service for Leave Accrual section of this fact sheet.

** In computing leave accrual for uncommon tours of duty, the accrual rate for the last full pay period in a calendar year must be adjusted to ensure the correct amount of leave is accrued.

Scheduling of Annual Leave

Employees and their supervisors are mutually responsible for planning and scheduling the use of employees' annual leave throughout the leave year. Employees should request annual leave in a timely manner, and supervisors should provide timely responses to employees' requests.

Supervisor and Employee Responsibilities

Ultimately, supervisors are responsible for the overall planning, coordination, and approving of their employees' annual leave throughout the leave year so that the agency's mission and employees' needs are met, and so that employees do not approach the end of the leave year with a significant amount of annual leave that must be used or forfeited. While the final date to schedule leave applies only to situations involving the possible forfeiture and restoration of annual leave, employees should be sure to schedule and use annual leave throughout the leave year and not wait until the end of the leave year to schedule annual leave. When an employee makes a timely request for leave, the supervisor must either approve the request and schedule the leave at the time requested by the employee or, if that is not possible because of project related deadlines or the agency's workload, must schedule it at some other time. If the employee forfeits annual leave because the supervisor did not schedule the leave or request a determination that a public exigency exists that would prevent the employee from using the leave, the supervisor's negligence constitutes administrative error and the employee's leave must be restored.

Supervisors' Request for Additional Information to Grant Annual Leave

Since supervisors must balance the work of the agency against the interest of the employee in using annual leave, supervisors may find it necessary from time to time ask employees how they will use the requested annual leave so that the supervisors may make informed decisions about scheduling the leave. In such cases, employees are not required to provide the supervisor with this information, but should understand that in the absence of such information, their request for annual leave may be denied based on project related deadlines or the workload of the agency. However, supervisors should not make it a standard practice to require that employees inform them how the annual leave will be used.

Annual Leave Ceilings

Maximum Annual Leave That May Be Carried Over into the New Leave Year:

Description	Days
Federal Employees Stationed within the United States	30 days
Federal Employees Stationed Overseas*	45 days
Members of the Senior Executive Service, Senior-Level and Scientific and Professional Employees**	90 days

* Employees stationed overseas must meet the requirements at 5 U.S.C. 6304(b) in order to receive the 45-day annual leave ceiling.

** Employees in SES/SL/ST **equivalent** systems, as determined by OPM, **do not** receive a 90-day annual leave ceiling by virtue of their being deemed by OPM to be SES/SL/ST equivalent employees.

"Use or Lose" Annual Leave

"Use or lose" annual leave is the amount of annual leave that is in excess of the employee's applicable annual leave ceiling. Any accrued annual leave in excess of the ceiling will be forfeited if not used by the final day of the leave year. Forfeited annual leave may be restored under 5 U.S.C. 6304(d). (See [Restoration of Annual Leave](#) fact sheet.)

Leave Year Beginning and Ending Dates

A leave year begins on the first day of the first full biweekly pay period in a calendar year and ends on the day immediately before the first day of the first full biweekly pay period in the following calendar year. (See [Leave Year Beginning and Ending Dates](#) for more information.)

Importance of Scheduling "Use or Lose" Leave in Advance

The maximum amount of annual leave that employees may carry over to the next leave year is shown in the annual leave ceiling table above. An agency may restore annual leave that was forfeited due to an exigency of the public business or sickness of the employee **only** if the annual leave was scheduled in writing before the start of the third biweekly pay period prior to the end of the leave year. (See fact sheet on [Leave Year Beginning and Ending Dates](#) for dates for scheduling "use or lose" leave.) Any annual leave scheduled after that date will be forfeited if not used by the final day of the leave year. Annual leave that was not scheduled in advance may be restored only under very limited conditions such as employees affected by the Defense Base Closure and Realignment Act (5 U.S.C. 6304(d)(3)), administrative error, or prolonged sickness of the employee.

Effect of Government Closures and Special Holidays on "Use or Lose" Annual Leave

Dismissal or closure due to weather conditions or other emergencies, end-of-year holidays granted by Executive order, and other unexpected paid time off without charge to leave may disrupt plans to use scheduled annual leave. Workdays on which a Federal activity is closed are nonworkdays for leave purposes, and employees will not be charged annual leave on such nonworkdays. If such circumstances result in an employee being unable to reschedule and use "use or lose" leave before the

end of the leave year, the leave will be forfeited. When "use or lose" leave is forfeited under such conditions, it cannot be restored.

Annual Leave for Sick Leave Purposes

Employees may request annual leave instead of using sick leave (see [Sick Leave \(General Information\)](#) fact sheet). Although an employee may request annual leave for sick leave purposes, annual leave is subject to supervisory approval and may be denied. If an employee chooses to use annual leave for sick leave purposes, he or she may want to share the reason for the request with the supervisor so that the request receives proper consideration.

Annual Leave While on Extended Excused Absence

An agency cannot require an employee to use annual leave when the agency has placed the employee on extended excused absence (e.g., in cases where adverse actions are being pursued by the agency). However, being placed on extended excused absence does not relieve an employee of the responsibility to schedule annual leave that would otherwise be forfeited. If the employee fails to schedule (i.e., request in writing) the use of annual leave that would otherwise be forfeited, the agency cannot restore it to the employee. If an employee schedules (i.e., makes a written request to use) annual leave, and the agency denies the request, the agency is required to restore the annual leave.

Annual Leave While on Active Military Duty

Employees entering on active military duty have the following options regarding their annual leave:

- Use – Employees may elect to use annual leave while on active duty in order to receive both their full civilian and military pay. During the period of annual leave, employees are in pay status; therefore they will continue to accrue annual and sick leave. For example, if a full-time employee with an 80-hour biweekly tour of duty uses 80 hours of annual leave during a pay period, he or she will accrue annual and sick leave for that pay period since he or she is in pay status.
- Lump-Sum Payment – Employees may elect to receive a lump-sum payment for any unused annual leave when they enter on active duty in the Armed Forces. Generally, a lump-sum payment will equal the pay the employee would have received had he or she remained employed until expiration of the period covered by the annual leave. This could help with the employee's financial obligations when going into activity duty service. (See [Lump-Sum Payments for Annual Leave](#) fact sheet.)
- Remain to their Credit – Employees may elect to have their annual leave remain to their credit for use upon their return to civilian duty. While the employee is on active military duty, unused annual leave is not subject to the employee's "use or lose" ceiling and any annual leave above the employee's annual leave ceiling is not forfeited at the end of the leave year. Employees who choose this option will have annual leave available for their use upon return to Federal service.

Creditable Service for Leave Accrual Civilian Service

All civilian service that is *potentially* creditable for Civil Service Retirement Service (CSRS) purposes, including service covered by the Federal Employee Retirement Service (FERS) is creditable for purposes of annual leave accrual. Potentially creditable service includes service that *could* be credited if the employee made deposits to the retirement fund. Such deposits are *not required* before the employee gets credit for annual leave accrual purposes. (See OPM's [Guide to Processing Personnel Actions, Chapter 6 - Creditable Service for Leave Accrual \(PDF file\)](#).)

Uniformed Service

- For non-retired members, full credit for uniformed service* (including active duty and active duty for training) performed under honorable conditions is given for annual leave accrual purposes.
- For retirees**, annual leave accrual credit is given only for:
 - Actual service during a war declared by Congress (includes World War II covering the period December 7, 1941, to April 28, 1952) or while participating in a campaign or expedition for which a campaign badge is authorized. (See [Vets Guide -- War Service Creditable for Veterans Preference](#).)
 - or**
 - All active duty when retirement was based on a disability received as a direct result of armed conflict or caused by an instrumentality of war and incurred in the line of duty during a period of war as defined in 38 U.S.C. 101 and 1101. "Period of war" includes World War II, the Korean conflict, Vietnam era, the Persian Gulf War, or the period beginning on the date of any future declaration of war by the Congress and ending on the date prescribed by Presidential proclamation or concurrent resolution of the Congress.

* The uniformed services consist of the Armed Forces (Army, Navy, Air Force, Marine Corps, and Coast Guard), the commissioned corps of the Public Health Service, and the commissioned corps of the National Oceanic and Atmospheric Administration.

** Per 5 U.S.C. 5534a, employees appointed on or after October 17, 2006 while on terminal leave pending retirement from the uniformed service are treated as retirees for the purposes of annual leave accrual credit.

Non-Federal Service or Uniformed Service

A newly-appointed or reappointed employee may receive service credit for prior non-Federal service or active duty uniformed service that otherwise would not be creditable for the purpose of determining his or her annual leave accrual under the conditions prescribed in 5 CFR 630.205. See [Creditable Service for Annual Leave Accrual for Non-Federal Work Experience and Experience in the Uniformed Service](#).

Annual Leave to Establish Retirement Eligibility

An employee may use annual leave to establish initial eligibility for retirement in reduction-in-force (RIF) and other restructuring situations. An employee who has received a specific notice of termination in a RIF situation may use annual leave past the date the employee would otherwise have

been separated in order to establish initial eligibility for immediate retirement, including discontinued service or voluntary early retirement.

Other Available Leave Options and Work Schedule Flexibilities

The Federal Government offers a wide range of leave options and workplace flexibilities to assist an employee who needs to be away from the workplace. These flexibilities include [sick leave](#), [advanced annual leave](#) or [advanced sick leave](#), leave under the [Family and Medical Leave Act \(FMLA\)](#), donated leave under the [voluntary leave transfer program](#), [leave without pay](#), [alternative work schedules](#), [credit hours under flexible work schedules](#), [compensatory time off](#) and [telework](#). Agencies may also have a [voluntary leave bank program](#).

References

- 5 U.S.C. 2101(3)
- 5 U.S.C. 5534a
- 5 U.S.C. 5552
- 5 U.S.C. chapter 63, subchapter I
- 5 CFR 351.606
- 5 CFR 353.208
- 5 CFR 550.1201
- 5 CFR part 630, subparts B and C
- Comptroller General opinions:
 - 16 Comp. Gen. 481 (1936), 39 Comp. Gen. 611 (1960) --absolute right
 - B-189085 (04/03/78), 57 Comp. Gen. 325 (1978),
 - 58 Comp Gen. 684 (1979)--forfeiture
 - B-213380 (08/20/84), B-256975 (10/11/94)--restoration
 - B-188993 (12/12/77), 56 Comp. Gen. 470 (1977),
 - 60 Comp. Gen. 598 (1981), B-221265 (06/02/86)-- general information.

[Back to Top](#)