

ALABAMA STATE PERSONNEL BOARD
ALABAMA STATE PERSONNEL DEPARTMENT
ADMINISTRATIVE CODE

CHAPTER 670-X-13
ANNUAL LEAVE (VACATION)

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670-X-13-.01 Employees Entitled To Annual Leave.

Employees, who are regularly employed by the State and who are subject to the provisions of the State Merit System, including provisional appointees, shall earn annual leave (vacation) with pay on the basis of semi-monthly pay periods. Annual leave shall not accrue except when an employee is actually working or on authorized leave with pay and in no case shall leave accrue subsequent to actual separation from state service.

Author: Jackie B. Graham, State Personnel Director

Statutory Authority: Code of Ala. 1975, §§36-6-1(b), (d); 36-2-9; 36-26-35.

History: Filed September 29, 1981. **Amended:** Filed February 28, 1991. **Amended:** Filed May 22, 2006; effective June 26, 2006.

Amended: Filed May 20, 2015; effective June 24, 2015.

670-X-13-.02 Annual Leave Schedule.

<u>Employee's Total Service</u>	<u>Accumulation Of Leave Per Pay Period</u>	<u>Annual Accumulation</u>
Fewer than 5 years	4 hours 20 minutes	13 days
5 but less than 10 years	5 hours 25 minutes	16 days 2 hours
10 but less than 15 years	6 hours 30 minutes	19 days 4 hours
15 but less than 20 years	7 hours 35 minutes	22 days 6 hours

20 but less than 25 years	8 hours 40 minutes	26 days
25 years of service or more	9 hours 45 minutes	29 days 2 hours

Author:**Statutory Authority:** Code of Ala. 1975, §36-26-35.**History:** Filed September 29, 1981. **Amended:** Filed May 20, 2015; effective June 24, 2015.**670-X-13-.03 Length Of Service Defined.**

For purposes of this section, service shall mean paid employment in a position eligible for leave accruals. The following shall not be counted as periods of employment in determining eligibility for increased leave:

(a) Educational leave with or without stipend.

(b) Other approved leave without pay.

(c) Time employed in a position where leave was not accumulated in accordance with this Chapter.

Author: Halcyon Vance Ballard**Statutory Authority:** Code of Ala. 1975, §36-26-35.**History:** Filed September 29, 1981. **Amended:** Filed February 28, 1991. **Amended:** Filed May 20, 2015; effective June 24, 2015.**670-X-13-.04 Use Of Annual Leave.**

Employees may use accumulated annual leave with the approval of their respective appointing authorities, subject always to the right of the appointing authorities to plan the work under their control and to authorize leave at such time as the employee can best be spared. However, no employee shall engage in any other employment during his scheduled working hours.

Author:**Statutory Authority:** Code of Ala. 1975, §36-26-35.**History:** Filed September 29, 1981. **Amended:** Filed May 20, 2015; effective June 24, 2015.**670-X-13-.05 Carry-Over Of Annual Leave.**

No more than 480 hours of accumulated annual leave may be carried over beyond the end of the calendar year.

Author:**Statutory Authority:** Code of Ala. 1975, §36-26-35.**History:** Filed September 29, 1981. **Amended:** Filed May 20, 2015; effective June 24, 2015.

670-X-13-.06 Payment Of Accumulated Leave Upon Separation From Service.

(1) Upon all separations from service except for a layoff, an employee shall be paid for the actual number of hours of annual leave he has accumulated, up to a maximum of 480 hours in an employee's career, with the amount being computed using the base hourly pay rate at the time of separation multiplied by the number of hours of leave due. For employees that do not accumulate leave at the time of separation, the last rate of pay at which the employee accumulated leave shall be used to calculate the leave payment.

(2) If an individual who has been paid for leave under this provision returns to state service, he/she must remain off the payroll for a period of time at least equal to the number of hours of annual leave paid.

(3) An employee may return to service without waiting for a longer period than the amount of annual leave paid. This rule will expire December 31, 2020.

(4) Notwithstanding the foregoing, an employee who has retired from state service may return to service without the waiting period required in paragraph 2.

Author: Halcyon Vance Ballard

Statutory Authority: Code of Ala. 1975, §36-26-35.

History: Filed September 29, 1981. **Amended:** Filed February 28, 1991. **Amended:** Filed May 20, 2015; effective June 24, 2015.

Amended: Published July 31, 2020; effective September 14, 2020.

Amended: Published April 29, 2022; effective June 13, 2022.

Amended: Published January 31, 2023; effective March 17, 2023.

670-X-13-.07 Leave For Permanent Part-Time Employees.

Permanent part-time employees shall earn leave on a basis proportional to the time they work in their permanent part-time positions.

Author:

Statutory Authority: Code of Ala. 1975, §36-26-35.

History: Filed May 24, 1985. **Amended:** Filed May 20, 2015; effective June 24, 2015.

670-X-13-.08 Transfer Of Leave Into The State Merit System.

(1) Persons entering the state merit system may not transfer into the state merit system annual leave accumulated in a non-merit system employment positions with the following exception:

(a) Individuals employed by a non-merit system State agency or entity, who accumulate leave in accordance with the procedures established by the Rules of the State Personnel Board may transfer their accumulated annual leave into the state merit system provided the appointing authority approves the acceptance of the leave. The non-merit system State agency or entity must certify the amount of leave the employee has accumulated and further certify that the accumulation of leave is in accordance with procedures established by the Rules of the State Personnel Board. This provision does not apply to public schools and public postsecondary institutions.

Author: Thomas G. Flowers

Statutory Authority: Code of Ala. 1975, §36-26-9.

History: Filed May 24, 1985. **Amended:** Filed August 13, 2001; effective September 17, 2001. **Amended:** Filed May 20, 2015; effective June 24, 2015.