

Administrative Policy No. 19.25.06

Subject:	Time Limitations on Employee Requested Leave Adjustments
Information Contact:	Office of Accounting Services Chief, (360) 664-5716
Authorizing Sources:	Collective Bargaining Agreements Chapter 357-31 WAC , Holidays and leave OFM State Administrative & Accounting Manual, Chapters: 20 , Internal Control and Auditing, 25 , Payroll
Effective Date:	November 22, 2010
Revised:	May 20, 2024 ¹ housekeeping 6/18/2024
Approved By:	<u>Original signed by Richard Pannkuk</u> Assistant Secretary / Chief Financial Officer

Purpose

The purpose of this policy is to provide the time limitations for employees to request changes to leave types used for previously documented leave.

Scope

This policy applies to all Department of Social and Health Services (DSHS) employees.

This policy does not apply to shared leave or Family Medical Leave Act (FMLA). If any specific provision of this policy conflicts with an applicable CBA, the CBA will prevail. This policy does not apply to shared leave.

Additional Guidance

[DSHS forms picker](#)

Form 03-421, Leave request

Definitions

Anniversary date is the unbroken service date plus prior state service. The anniversary date is used to determine when vacation leave over two hundred eighty hours (280) is lost and for computing the rate of vacation leave accrual beginning with the fifth year of total state employment. [WAC 357-01-023](#)

Leave type means the categories of leave as designated in the DSHS leave system.

Payroll office is the office within the Facilities, Finance, and Analytics Administration that processes payroll for DSHS to include the institutional payroll offices that process their own payroll.

Paid family and medical leave (PFML) are benefits for Washington workers that allows them to take up to 12 weeks of paid time off for certain qualifying events, such as their own serious health condition, caring for a family member, bonding with a new child, or preparing for a family member's military service.

Working day is a day when an employee performs their assigned duties and responsibilities for DSHS, either at their regular work location or at an approved alternative work location, such as their home or a telework center. A working day typically consists of eight hours of work unless the employee has an approved flexible or alternative work schedule.

Policy

- A.** It is the employees' responsibility to manage their own leave in an accurate and timely manner. DSHS employees must request retroactive changes to the leave used for any listed absences within the shortest timeframe listed below in the following:
1. 30 calendar days from the last leave date in question, as long as it does not result in an overpayment.;
 2. If the employee's leave occurs within 30 days of their anniversary date, they can change it up to two working days prior to their anniversary date in order to avoid a loss of accrued leave due to the 280-hour vacation rule;
 3. By June 30th for compensatory time (due to the annual compensatory time buyout);
 4. By December 15th for sick leave changes (due to the annual sick leave buyout), except for provisions outlined in item 2 of this section; and/or
 5. As required by the applicable collective bargaining agreement (CBA).
- B.** An overpayment may occur if an employee's requests to change their leave type from paid to unpaid are after the payroll period has closed. Such requests might be approved in extenuating circumstances by the chief of accounting services or the payroll manager.

For example, if an employee requests to change annual leave to FMLA leave without pay after the pay period has closed and processed. This will cause the employee to be overpaid and will require exception approval.

- C. In the event of extenuating circumstances, only the office of accounting services chief or payroll manager will have final approval to make retroactive changes that exceed the timeframes listed in policy point A above.

For Paid Family Medical Leave:

- D. It is the employees' responsibility to manage their own leave in an accurate and timely manner.
 - 1. DSHS employees may request retroactive changes to the leave used for any absence.
 - 2. This retroactive adjustment must be requested within 30 days of the date on the approval letter from the Employment Security Department.
 - 3. The retroactive changes can only be approved for the leave used on or after eligibility begins.
- E. Employee's PFML premium contributions for the year are equal to or more than the amount of premiums that will be refunded to the employee by this retroactive change.
 - 1. A retroactive change to PFML leave is not permitted unless conditions in subsections (D) and (E) are met.
- F. Changing PFML LWOP and regulation LWOP changes may be made.

**Policy points B and C still apply to the PFML section.

Procedure

A. To process retroactive changes in leave type

- 1. DSHS employees complete and submit a revised leave request.
- 2. Supervisors, leave corrections processors, and payroll processors:
 - a. Review revised leave requests to check for compliance with this policy.
 - b. If the request:
 - i. Meets the policy requirements and applicable leave balances exist to accommodate the change, process as appropriate.
 - ii. Does not meet the policy requirements, or applicable leave balances do not exist, deny the request, and return the leave request to the employee with an explanation of why the leave was denied.
- 3. The appointing authority, or designee

- a. Reviews revised leave requests where leave without pay (LWOP) is requested in lieu of other leave types or is needed because of insufficient leave balances.
- b. If the request is:
 - i. Approved, forwards leave request to payroll office for processing.
 - ii. Denied, returns the leave request with explanation to the employee.

B. To request an exception to policy

- 1. DSHS employees submit a revised leave request to their appointing authority, or designee, along with an explanation of why an extenuating circumstance exists.
- 2. The appointing authority or designee
 - a. Reviews request for an exception to policy.
 - b. If the request is:
 - i. Approved, forwards the leave request and explanation to the office of accounting services chief or payroll manager.
 - ii. Denied, returns the leave request and explanation for denial to the employee.
- 3. The office of accounting services chief or payroll manager
 - a. Reviews staff request for an exception to policy.
 - b. If the request is:
 - i. Approved, forwards the leave request and explanation to the payroll processor, and notifies the appointing authority, or designee.
 - ii. Denied, returns the leave request and explanation for denial to the appointing authority, or designee. The appointing authority, or designee, returns the leave request to the employee with an explanation of why the leave was denied.

C. Examples

Example #1

Employee Joe submitted approved vacation leave for November 1st. While on leave, he contracted an illness and did not take the intended trip. He returned to work on November 20th. His anniversary date for vacation leave is December 1st.

Employee Joe submitted a revised leave request to change vacation leave to sick leave on or before November 30th. The timing of this request complies with the timeframes set and established in this policy.

- a. The vacation leave change meets the policy because it is prior to his anniversary date of December 1st.
- b. The sick leave correction meets the policy because it is prior to the December 15th deadline for changing sick leave balances.
- c. The request to change is also within the 30-day timeframe and as set by the applicable CBA.

Example #2

Employee Joe submitted approved vacation leave for November 1st. While on leave, he contracted an illness and did not take the intended trip. He returned to work on November 20th. His anniversary date for vacation leave is November 25th.

Employee Joe submitted a revised leave request to change vacation leave to sick leave on December 14th. The timing of this request does not comply with the timeframes set and established in this policy.

- a. The request was not submitted prior to the employee's November 25th anniversary date.

Example #3

Employee Joe submitted approved vacation leave for November 23rd. While on leave, he contracted an illness and did not take the intended trip. He returned to work on November 27th. His anniversary date for vacation leave is December 30th.

Employee Joe submitted a revised leave request to change vacation leave to sick leave on December 20th. Although the request was submitted within the 30-day timeframe and is prior to the employee's anniversary date, this request does not comply with the shortest timeframes as required by policy.

- a. The request was submitted after the December 15th cut-off date for changing to sick leave.