

Section 25 Leave Plan

All full-time employees and permanent part time employees represented by AFSCME Council 81 within _____ shall be entitled to receive and schedule five additional (5) paid leave days during FY2010 pursuant to Section 25 of House Bill 295. The Agency agrees to make every practical effort to approve all employee requests in compliance with this plan.

This approved plan shall be subject to the following guidelines:

- Subject to the following limitations, all employees in State agencies on the payroll as of July 1, 2009 shall receive five paid leave days pursuant to Section 25 of House Bill 295 (hereinafter “Section 25 leave”). The five days of leave are available as soon as the agency’s plan is approved.
- Section 25 leave is available only to full time and permanent part time employees in leave-eligible positions whose salaries were reduced pursuant to Section 8(c) of the Fiscal Year 2010 Annual Appropriations Act. Casual/seasonal employees are not eligible.
- Section 25 leave may only be taken during Fiscal Year 2010. Unused days will not carry forward into the next fiscal year. There are no exceptions to this rule.
- Effective upon approval of an agency’s plan and through December 31, 2009, employees shall have discretion to replace previously approved scheduled annual leave which has yet to have been taken with Section 25 leave. During this time period, employees shall also have discretion to schedule Section 25 leave or annual leave.
- Effective January 1, 2010, any unused Section 25 leave balance shall be scheduled prior to scheduling full-day annual leave increments. Use of Section 25 leave in lieu of sick leave should be determined by the employee and his/her supervisor. However, any leave already taken prior to the approval of the Section 25 leave plan shall not be adjusted.

- Each Section 25 leave day shall be equivalent to 7.5 hours for employees who work a 37.5 hour schedule, and to 8.0 hours for employees who work a 40-hour schedule.
- Section 25 leave days for permanent part time employees shall be prorated based on their percent of full-time hours.
- Use of Section 25 leave days, as with any other type of leave, is subject to supervisory approval and shall be consistent with the Merit Rules, current Collective Bargaining Agreements and practices, as applicable.
- It is recommended that Section 25 leave days be taken in full day increments, and shall not be approved for increments of less than one full day. This will ease the administrative burden on agencies to track and enter this leave. However, individual agency plans may differ.
- Employees shall not be compensated for any unused Section 25 leave days when they separate from employment. Section 25 leave cannot be donated.
- No blanket exemption shall be granted to existing restrictions on annual leave carryover.
- Certified bargaining representatives must submit their Section 25 leave plans to the Chief Justice of the Supreme Court/cabinet/agency head for approval. Only such plans that are submitted by the Chief Justice or a cabinet secretary/agency head may be approved by OMB.
- PHRST will be establishing codes for agencies that use Time and Labor and for those that do not for the purposes of entering and tracking Section 25 leave. More information on these codes will be forthcoming.