



Employment Policies for the State of North Dakota

ANNUAL LEAVE

Effective Date: 09/01/2020

The State of North Dakota provides paid annual leave as a benefit to its employees who work in a regular position. Annual leave is earned starting on the first day of employment in a regular position according to the following schedule:

<u>Length of Service</u>	<u>Hours Earned/Month</u>	<u>Hours Earned/Year</u>
0-3 complete years	8	96
Beginning of 4 th year to 7 complete years	10	120
Beginning of 8 th year to 12 complete years	12	144
Beginning of 13 th year to 18 complete years	14	168
Beginning of 19 th year and over	16	192

Prorated hours of annual leave will be granted to employees in regular positions who work less than the standard 40-hour work week. When calculating earned annual leave, work time includes holidays and paid leave used.

Usage

Annual leave may not be used before it is earned.

Requests to use annual leave will be approved whenever possible. Excluding emergency situations, annual leave requests must be made and approved in advance of the annual leave being taken. Employees who want to attend a legislative hearing during worktime due to personal or non-work-related interest must take annual leave to attend. A leave request may be denied if the absence would unduly disrupt the business operations or services of the agency or other related reasons.

Temporary employees are not eligible to earn annual leave. If a temporary employee transfers to a regular position with no break in service longer than one year, the employee will receive credit for their prior length of service when determining the annual leave earning rate.

Reinstatement/Transfer of Leave Balance

An employee who is rehired by the state within three years of termination must be credited with their prior service when determining their annual leave earning rate going forward. When an employee transfers from one state agency to another and there is no break in service, the “sending” agency must pay the employee the value of the earned annual leave hours the “receiving” agency will not accept.

Balance Limits

No more than 240 hours of earned and unused annual leave may be carried forward past April 30 of each year. Any hours in excess of 240 hours will be eliminated after April 30. An employee’s supervisor may require an employee to use earned annual leave prior to using earned compensatory time for leave purposes.

Payment of Balance

An employee may not be paid for unused annual leave while the employee remains in the service of the agency except when the employee: takes a long-term leave of absence (six months or more), goes on educational leave, transfers to temporary employment, or if specifically requested by the employing agency and approved by HRMS due to a business-related reason prior to April 30 of each year.

All earned and unused annual leave is payable upon termination of employment, regardless of the reason for termination.