

# CHR FACTSHEET

## Annual Leave Restoration

*Audience: DON Workforce*

*Issued: 29 May 2020*

## Annual Leave Restoration

### This Fact Sheet:

- Defines the circumstances for which annual leave restoration applies
- Describes the period of use for restored annual leave
- Answers Frequently Asked Questions regarding restoration of annual leave

### Background

In accordance with 5 CFR 630, annual leave that is forfeited at the end of the leave year because of an administrative error, exigency of the public business, or sickness of the employee is eligible for restoration. Before annual leave may be restored, it must have been scheduled in writing before the start of the third biweekly pay period prior to the end of the leave year – normally in mid-November. The cancellation of the scheduled and approved annual leave must be for one of the following reasons to qualify for restoration.

**Administrative Error:** The organization determines what constitutes an administrative error.

**Exigency of the Public Business:** The employing organization determines that an exigency - i.e., an urgent need for the employee to be at work - is of major importance and that scheduled annual leave must be cancelled.

**Sickness of the employee:** The employing organization determines that the annual leave was forfeited because of a period of absence due to an employee's sickness or injury that occurred late in the leave year or was of such duration that the annual leave could not be rescheduled for use before the end of the leave year.

### Period of use for restored annual leave

An employee must schedule and use restored annual leave no later than the end of the leave year ending 2 years after:

- the date of restoration of the annual leave forfeited because of administrative error;
- the date fixed by the head of the agency or designated as date of termination of the exigency of public business; or
- the date the employee is determined to be recovered from illness or injury and able to return to duty

## Frequently Asked Questions

**Q. I scheduled my annual leave and my plans changed because of a public emergency i.e. pandemic and guidance issued to not travel outside my local commuting area. Can my annual leave be restored?**

A. No. A change in employee plans and/or an inability to use annual leave for the original intended plans is not justification for restoration of annual leave. Employees should reschedule their leave prior to the start of the third biweekly pay period prior to the end of this leave year.

**Q. Can my annual leave be restored if I was required to report to work due to an emergency?**

A. Yes. Annual leave may be restored if cancelled due to exigency of public business and there is not sufficient time left in the leave year for rescheduling the annual leave. The leave must have been scheduled in writing before the start of the third biweekly pay period prior to the end of the leave year.

**Q. I scheduled annual leave two weeks prior to the end of the leave year, but my trip was cancelled and I did not use the leave. Can my leave be restored?**

A. No. Annual leave must have been scheduled in writing before the start of the third biweekly pay period prior to the end of the leave year.

**Q: I have travel compensatory time that is due to expire on Dec 31. Can I take my travel compensatory time instead of my use or lose annual leave and have my leave restored?**

A. No. The use of earned compensatory time off or credit hours that are about to expire do not justify restoration of forfeited annual leave.

**Q. I became ill and was unable to use my scheduled annual leave. Can my annual leave be restored?**

A. Yes. If annual leave was scheduled prior to the start of the third bi-weekly pay period of the end of the leave year, the leave was cancelled because the employee's illness and could not be rescheduled before the end of the leave year, the forfeited annual leave can be restored.

**Q. How do I request restoration of my forfeited annual leave?**

A. Contact your local HRO for specific procedures established for your Command.

## Where to Find Additional Information

*Restoration of Annual Leave:*

<https://www.opm.gov/policy-data-oversight/pay-leave/leave-administration/fact-sheets/restoration-of-annual-leave/>

## Still Need Assistance?

For additional information about home leave, please contact your servicing Human Resources Office.



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