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Justin Johnson, Secretary

MEMORANDUM

TO: Agency and Department Heads
CC: Business Managers, John Berard, and Angela Rouelle
FROM: Justin Johnson
RE: Compensatory Leave Time Balances
DATE: February 9, 2015

Under the terms of our collective bargaining agreement, appointing authorities have discretion to “buy out” employees’ compensatory time leave balances in May of each Fiscal Year and/or “pay off” certain employees compensatory time leave balances in July of each Fiscal Year. However, as you may recall, on April 23, 2014, Agencies and Departments were notified that in light of the tight fiscal situation we were facing, the Administration was unlikely to authorize compensatory leave buy outs or pay outs “in the upcoming fiscal year” (FY 2015). At that time we instructed Agencies and Departments to plan accordingly. Now that we are in FY 2015 and continue to face a difficult economic climate, the Administration has decided that no buy outs or pay outs of discretionary compensatory time will be permitted, absent extraordinary circumstances.

Please encourage your employees with compensatory leave time balances to take the time off. Employees have until June 30, 2015, in which to use the accumulated leave earned during FY 2014, and until June 30, 2016, in which to use the accumulated leave earned during FY 2015. The decision not to buy out or pay off discretionary compensatory time will also be extended to compensatory time earned during FY 2016. Agencies and Departments are directed to inform employees and plan accordingly for FY 2016.

Please note this decision does not apply to leave pay outs that are required by the Fair Labor Standards Act (FLSA) or the Collective Bargaining Agreements. If you have any question as to whether an employee is covered by the FLSA, feel free to contact your HR Administrator. Specific details regarding the applicable dates and balances will be forthcoming from the VTHR Operations Division.

If you have any questions generally about this memo, or believe an exception should be made because of extraordinary circumstances, please contact Maribeth Spellman at Maribeth.Spellman@state.vt.us no later than March 31, 2015.

Thank you for your cooperation and attention to this matter.

