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From: Regional Labor Relations Specialist
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Subject: Joint Union/Management Guidance on Annual Leave Rosters

To: Managers, AFGE Bargaining Unit Offices
AFGE Representatives/officers, Council 220

The following Questions and Answers are an attempt to clarify the provisions for the use of an Annual Leave Roster in resolving conflicts in scheduling vacation and holiday leave. While we believe that this guidance accurately interprets the provisions of the National Agreement, it does not alter, change, or amend any provision of the National Agreement.

This document was prepared by and is being issued by Frank Colvin, Regional Labor Management Relations Specialist, and Regie Endsley, Atlanta Regional Vice President, National Council of SSA Field Operations Locals, in the hope of reducing misunderstanding and providing management, union representatives, and employees with a single uniform guide for administering the leave roster provisions. This guidance is consistent with the guidance previously provided to managers and with the positions previously articulated by the Regional Council.

This guidance should be shared freely with bargaining unit employees in any manner agreeable to the local parties. Comments, suggestions, or questions are welcomed and encouraged. They may be addressed to either of us.

Article 31, -Section 2C - Annual Leave Requests and Rosters

1. Q How is the roster for an office or for a unit set up? What determines the employee groupings for holiday and vacation leave purposes and the number of employees in each grouping that can be spared for leave?

A. Section D., Article 31, describes the procedure for establishing the roster as follows:

Each leave approving official will initially establish an Employee A/L Roster in service computation date (SCD) order (from earliest to most recent SCD).

Management decides which grouping of employees will compete with each other for available leave within the grouping. These groupings are usually of employees who perform the same or similar work -- for example, Title II CRs might be a separate grouping from Title XVI CRs. In some cases, employees in positions such as SR and DC are placed in the same grouping, while in other offices they are grouped separately.

Normally, management determines the number of employees who may be spared for leave by considering operational needs in conjunction with employee requests. In some offices, there are established guides or policies for determining the number or percentages of employees who may be on leave. In other cases, management and the union may, through consultation, arrive at a mutually acceptable method of determining that number. In any case, these decisions are subject to the provision of Section 2.A.: "The Employer will make every effort to allow the maximum number of employees to use leave."

2. Q Once a grouping is established, can it be changed?

Yes, subject to any bargaining obligation that may be involved. It is always possible that changes in conditions such as staffing patterns or office workloads might require a change in the leave groupings.

3. Q What kinds of annual leave requests for vacations and holidays are governed by the leave roster provisions of the national contract?

A. Only requests for leave on the days immediately preceding and/or following a Federal holiday, or requests for extended annual leave of one week or more. Requests for leave for other periods, or for less than a full week, are not a part of the leave roster process. Normally, such requests should not be granted until after the vacation and holiday leave planning process has been completed.

4. Q What happens when there is a conflict in scheduling that involves both leave governed by the leave roster provisions and other leave requests?

A. Normally, requests for vacation and holiday leave must be satisfied before other request for annual leave may be considered. However, some types of leave will take precedence over vacation and holiday requests. These include leave requested under the Family Medical Leave Act; Military-Leave; Court Leave; and other types of leave for which there are overriding statutory or contractual provisions.

5. Q At what point does a conflict exist so as to trigger use of the roster?

A. A conflict exists when there are more people who request leave for any period during the 6 months being scheduled than management can let off work. For this purpose, a request for one day of leave immediately before or following a holiday has the same weight as a request for a calendar week or more.

6. Q When a conflict exists, what is the first step that should be take to resolve the conflict?

A. When a conflict exists, all employees who are involved in the conflict should be informed of the conflict, and asked to see if they can work the conflict out among themselves. If enough employees withdraw their requests so that there is no longer a conflict, then all remaining requests can be granted without the need to exercise a roster option and to move to the bottom of the roster.

7. Q What happens if there is a conflict and the employees involved cannot work it out among themselves?

If the employees involved cannot work out the conflict among themselves, then the leave approving official resolves the conflict by using the leave roster provisions. Employees involved must either agree to exercise their option in order to have their request approved or must decline to exercise their option and have their request denied. At this point in the process, any employee whose request is approved must exercise the option and move to the bottom of the roster.

8. Q What happens if there is a conflict, but one or more employees declines to exercise their option and the number of remaining employees does not exceed the number who can be spared on leave? For example, 3 employees have requested leave for the same period and only 2 may be spared for leave; the employee highest on the roster declines to exercise his or her option, and the 2 remaining requests do not exceed the number which can be spared.

A. Once the roster has come into play because the employees could not resolve the conflict among themselves, then every employee involved must exercise their option and move to the bottom of the roster in order to have their request approved. In the example

above, employee number 3 will have to exercise his or her option to get the leave request approved, even if numbers 1 and 2 have declined. At this point, there are no "free rides" because others declined.

9. Q If an employee is at the top of the roster for his or her grouping, does that employee have the first choice of leave for every conflict during the 6 months being scheduled?

A. No. The leave approving official must deal with conflicts in chronological order -- i.e., Thanksgiving conflicts must be resolved before Christmas requests are considered.. An employee must decide whether to exercise her or his option for every leave request where there is a conflict. If an employee exercises his or her option for a specific leave request, then the employee moves to the bottom of the roster. Thus, an employee who exercises his or her option for the day after Thanksgiving would drop to the bottom of the roster and would not be at the top of the roster for the next conflict which arose (normally, Christmas).

- 10.Q Is there a separate roster for each 6-month request period?

A No. The national contract provides that "Once established, the list will rotate continuously and will be used to resolve all conflicts for all subsequent leave scheduling periods."

- 11.Q What position on the roster is given to a new hire (i.e., anyone who is not currently an SSA employee)?

A. A new hire, whether or not a prior Federal employee, is placed at the bottom of the roster.

- 12.Q What do we do with an SSA employee who transfers into the installation or otherwise changes leave groupings?

A. Place the employee on the new roster in the same relative position to employees on the new roster as the employee held on the old roster; e.g. if the employee was third of four people in the old list and moves into a new roster of four people (including the employee who is moving), he/she would be placed in the third

spot. if the number of people on the two lists do not match exactly.. the appropriate position can be determined by applying a ratio formula. For example, if an employee is third on a roster of seven and moves into a roster of 13, the ratio would be 3 is to 7 as x (the moving employee) is to 13. The formula then works out as follows:

$$\begin{aligned}3/7 &= x/13 \\7x &= 39 \\x &= 5 \frac{4}{7}\end{aligned}$$

To find the employee's place on the roster, we must round the fraction to the closest whole number. In this example, $5 \frac{4}{7}$ rounds to 6, and the employee would be placed sixth on the new roster of 13.

13.Q If an employee transfers into an AFGE-covered office from an office that would not have been using a roster system (e.g., a non-union office, an office in another bargaining unit, etc.), where should he/she be placed on the leave roster?

A. An employee who transfers from an office or a position (e.g., operations supervisor) where a roster was not previously used, should be placed at the bottom of the gaining office's roster.

14.Q How should we handle a situation where an employee moves into a new leave grouping and, based upon a timely request within one of the two request periods, already has had leave approved and conflict exists in the new location?

A. Absent an operational exigency, pre-approved leave should be honored. if there is a conflict, the senior employee would prevail.

15.Q Once leave is approved, can management cancel it because of unforeseen needs?

A. Yes. Absent an operational exigency, pre-approved leave should be honored. However, management does have the authority to cancel previously approved leave under limited circumstances. In such an event, the employee would be placed at the top of the roster.

16.Q What happens-to an employee who, after exercising an option, cancels the leave which was approved?

A. The employee would not be restored to his or her prior position on the roster.

17.Q What happens when, because of unanticipated circumstances, management discovers that more employees can be spared for leave than was originally anticipated?

A. Essentially, the first-come-first-served provision would apply. In such a case, however, management must ensure that all affected employees have the same opportunity to apply.

18.Q Can local systems used for leave not covered by the roster provisions be changed?

A. They are treated as past practices and may be changed only through the consultation and negotiation process described in Article 4 of the national contract.

19.Q What constitutes a full "Calendar" week for part-time employees?

A. A calendar week for a part-time employee would be his/her work schedule for a week. For example, an employee who works Monday through Thursday would fall under the roster provisions if they requested leave for the period from Monday through Thursday.

20.Q What constitutes a period of conflict? For example, if an employee requests July 3 and July 5, is this two different requests, or one request?

A. This would be treated as one request. Any leave request which contains consecutive days, no matter how long the request may be for, or how many holidays are included, is considered to be one request. For example, a request for leave from December 23 through January 2 would be one request, even though it included the day before two holidays and the day after two holidays. on the other hand, a request for December 23 through December 26 and December 31 through January 2 would be treated as two different requests.

21.Q Is the roster applied sequentially, in chronological order? For example, do you apply the roster first to conflicts involving Columbus Day, rework the roster, then apply it to conflicts involving Veterans' Day, rework the roster apply it to conflicts involving Thanksgiving, etc?

A. The roster should be applied sequentially, in chronological order, starting with the first date on which there is a conflict.

22.Q During February and August, should management solicit or accept leave requests which are for less than a calendar week, or not adjacent to a Federal holiday? Likewise, what does management do with requests for less than a calendar week, or not adjacent to a Federal holiday, which are received before the leave request period?

A. Since leave requested under the roster provision normally takes precedence over other annual leave requests, any other leave requested during the roster planning period can not be granted until after vacation and holiday leave have been scheduled. Any such requests should be denied, and the employee should be advised to re-submit the request after the vacation and holiday leave schedule has been established.

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