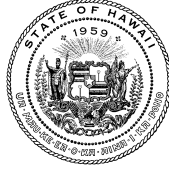


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STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

December 10, 2020

COMPTROLLER'S MEMORANDUM 2020-29

TO: Department Heads

FROM: Curt T. Otaguro, Comptroller 

SUBJECT: State of Hawaii Employee Excess Vacation Leave Carry Over Request

The State of Hawaii is experiencing an unprecedented global pandemic, which began in early 2020. State employees have responded phenomenally, many working 7-days/week and not taking vacation leave due to COVID-19 related work demands, including serving the increased needs of the public and fulfilling demanding program missions. Employees who have accumulated the maximum allowed vacation hours for 2020 but have not been able to take vacation as a direct result of COVID-19 related work demands are now in jeopardy of forfeiting earned vacation hours over the 720 vacation hours they are allowed to carry over each year.

Current collective bargaining agreements authorize the Comptroller of the State of Hawaii to evaluate an individual employee requests for exceptions from the vacation carry-over limit based on the employee's having been denied vacation requests due to workload demands. Therefore, COVID-19 related work demands that have prevented employees from taking vacation, whether based upon an outright rejection of the request or because the employee presumed such a request could not be accommodated based upon work demands, may be considered a basis for granting the vacation carry-over limit exception. In other words, we would like to recognize the exceptional efforts of employees who have been working above and beyond the call of duty to address issues resulting from the State's response to COVID-19 by allowing them, this one time, to carry-over earned but unused vacation hours.

Accordingly, the Comptroller of the State of Hawaii will review and evaluate the Department Directors' recommendations to carry over specific employee's vacation of up to 168 hours more than the 720 hours carry-over maximum. Upon approval by the employees' Department Director, a memo signed by the Department Director should be sent to the Comptroller requesting for an exception and provide the following information:

- Name of employee(s).
- Number of hours requesting to be carried over.
- Justification/reason for the carry-over of excess hours over the normal 720 hours.

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Justification for carry-over exception will be based on the following criteria:

- Employee vacation maximum carry-over is no more than 168 hours for the 2020 calendar year. Any vacation earned and not taken as of 12/31/2020 and over the 720 hours carry-over maximum will be considered.
- The primary basis for the vacation carry-over exception approval will be based on the individual employee being denied by their respective supervisor due to workload demands attributed directly to the COVID-19 pandemic at any time between March 1, 2020 through December 31, 2020.
- A secondary reason for exception approval will be based on the Department Director's concurrence that the employee has put in exceptional work, time, and effort related to the COVID-19 pandemic above and beyond what is expected for the employee's position. The individual did not request vacation due to an indication from the supervisor or employee's own belief that vacation time could not be accommodated because of the demands of the State's COVID-19 pandemic response.

This exception shall be subject to the following limitations:

- All approved exceptions will be granted on a **ONE-TIME** basis due to the operational disruption caused by COVID-19 for the 2020 calendar year (vacation hours earned from 01/01/2020 – 12/31/2020).
- Total accrued vacation balances for employees approved for this exception shall not exceed 888 hours going into the 2021 calendar year.
- Employees who carry vacation balances over 720 hours must take their earned excess vacation by December 31, 2022, which will bring their aggregate vacation balance back to the 720 hours maximum by December 31, 2022. The regular-course vacation forfeiture requirement – the "use it or lose it" requirement - will be reinstated on January 1, 2023.
- All vacation carry-over exceptions approved under this directive will be accrued to vacation balances.

The Department of Accounting and General Services (DAGS) will adhere to the guidelines referenced in the employee's bargaining unit Collective Bargaining Agreement (CBA). State employees not represented in a particular CBA are also allowed to submit a vacation carry-over request.

Please direct questions to the Office of the Comptroller at (808) 586-0400.