



File Code: 6160
Route To:

Date:

Subject: Permanent Seasonal Employees and Maximum Carryover Annual Leave

To: Deputy Chiefs, Regional Foresters, Station Directors, and WO Directors

The Forest Service's intent is to support the continued well-being and resiliency of all our employees, including our permanent seasonals. As you are aware, the agency made the difficult budget-based decision to not to extend the scheduled tour agreements for our Permanent Seasonal Employees (PSEs) except on an extremely limited basis. We recently learned that the timing of this decision may have had unintended consequences for some of our PSEs whose annual leave balance will exceed 240 hours by the end of their tour if they cannot use the leave before transitioning into a non-pay status. This memorandum provides guidance to minimize the negative impact of the agency decision only for supervisors whose PSE employees have or are projected to have a use-or-lose leave balance when their scheduled PSE tour ends.

The following guidance is specific for leave year 2024 to ensure impacted PSEs can use their leave or have forfeited annual leave automatically restored under certain conditions. This guidance only applies to those PSEs in a use-or-lose situation. All other employees will continue to follow the agency's normal annual leave use-or-lose restoration guidance, which will be released soon. We are asking all supervisors to do everything possible to allow impacted PSEs to take their accrued leave before their normal tour ends. Human Resources Management (HRM) will send a list of PSEs who are anticipated to exceed 240 hours of annual leave before the end of the leave year (January 11, 2025). These estimates are based on leave accruals through Pay Period 21 (October 20 - November 2, 2024). If a PSE's tour takes them past this date, there may be additional annual leave to consider.

If employees cannot utilize use-or-lose leave during their tour due to an imminent scheduled tour end or critical mission requirements:

- 1) Tour extensions will be authorized for the exact time to allow employees to take annual leave associated with any projected balance over 240 hours. We know this decision will impact our overall budget, but our employees' near and long-term benefits are paramount.
 - a. Ensure any eTracker request placing an impacted PSE into a non-pay status has an effective date that allows full use of any use-or-lose annual leave. Managers and employees should work together to mitigate PSEs ending their tours in the middle of a pay period whenever possible due to pay implications noted in "e" below.
 - b. Employees who are afforded the opportunity but choose not to use their earned use-or-lose annual leave will forfeit any balance exceeding 240 hours at the end of the leave year without any option for restoration. Regions and Stations will need to document these circumstances.
 - c. Use-or-lose annual leave should be taken before any credit hours or compensatory time off is used.
 - d. Employees who choose not to take use-or-lose annual leave may want to consider donating



- that leave to the Voluntary Leave Transfer Program (VLTP). This program supports employees needing leave donations due to serious health conditions. A list of current recipients and information on the VLTP Program can be found on the [HRM](#) Leave Webpage.
- e. Employees who go into a non-pay status after the start of a pay period will need to submit a split time and attendance report. The [HRM](#) website provides instructions for how to complete a split timesheet.
 - f. Note: If an employee does not work or take paid leave for an entire pay period, they may see lower than expected or no net pay, as mandatory deductions for health insurance, taxes, etc., are taken before any other pay is allocated.
- 2) For PSEs with use-or-lose annual leave who were already placed into a non-pay status or could not have their tour extended for unusual or unique situations, management considers their annual leave to have been prescheduled and subsequently canceled. The justification will be that each Region or Station's memorandum outlining PSE tours will not be extended. Annual leave forfeited under these circumstances will automatically be restored as an exigency of business under the following conditions:
- a. HRM will provide each Region and Station a listing of PSEs who forfeited leave at the end of the leave year (January 11, 2025). This listing will not be available until after pay period 1, 2025, which processes at the beginning of February 2025.
 - b. Each Region and Station will certify which PSEs did not have an opportunity to take their forfeited leave as outlined above.
 - c. HRM will automatically restore any forfeited leave.
 - d. Restored leave expires in two years. If restored leave is not taken within this period, it is forfeited without further restoration options.

In future years, management must work closely with employees to provide the opportunity to schedule and use leave throughout their planned tour to avoid negative use-or-lose scenarios.

If you have any questions regarding this direction, please contact Dwayne Brown, Acting Assistant Director of HRM Centralized Operations, at dwayne.brown@usda.gov.

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cc: Dwayne Brown, David Hoose, Mark Greenwalt, Laura Trujillo, and Rachel Buford