



PEF Contract Administration Vacation Accrual Carry-Over Reminder

As a result of the COVID-19 emergency, PEF and the State previously reached emergency agreements allowing eligible employees to carry over unused vacation accruals that would otherwise have been forfeited on April 1, 2020, and April 1, 2021. Employees had until December 31, 2021, to use those carried over accruals. The time to use those carried over accruals was extended by a year to December 31, 2022.

As previously announced, pursuant to a further agreement with the State:

- Eligible employees may *again* carry over accruals beyond the contractual cap in April 2022.
- Carried-over accruals from April 2020, April 2021 and April 2022 will have to be used by December 31, 2022, to avoid forfeiture. Accordingly, no one should have had *carried-over accruals* forfeited on or after January 1, 2022.
- An eligible employee's bank of non-carried-over accruals can be over the contractual cap (including on January 1, 2023), but any accruals over 40 days on April 1, 2023, will be forfeited in the absence of a further carry over agreement.

It should also be noted that pursuant to a side letter contained in the 2019-2023 PEF/State Agreement, the Article 12.4(c) vacation accrual cap of 40 days was increased to 50 days for one-year effective April 1, 2022, and reverts to 40 days on April 1, 2023. However, for those eligible for the April 1, 2022 carry over, this increase in the cap becomes irrelevant since accruals can be carried over beyond the contractual (50 day) cap in April 2022. Eligibility for the carry over should be liberally applied.

Vacation credits earned on or after April 1, 2022, are not impacted by these extensions or the December 31, 2022 deadline to use carried over accruals. Instead, these accruals will be subject to the April 1, 2023, contractual cap, which at that time, reverts to 40 days. Therefore, as noted above, an employee's bank of non-carried over accruals can be above the contractual cap without forfeiture on January 1, 2023, but any such accruals over 40 days on April 1, 2023, will be forfeited in the absence of a further carry over agreement.

If you are unsure about your balance of carried over accruals, you should request that information from your agency.

If you have any questions, please contact your PEF Field Representative.