

(3) FOR AN EMPLOYEE WHOSE TOTAL STATE SERVICE IS AT LEAST 10 YEARS BUT LESS THAN 20 YEARS, AT THE RATE OF 20 WORKDAYS A YEAR; AND

(4) FOR AN EMPLOYEE WHOSE TOTAL STATE SERVICE IS 20 YEARS OR MORE, AT THE RATE OF 25 WORKDAYS A YEAR.

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence of former Art. 64A, § 37(a)(1)(i), except as that sentence authorized annual leave, the second sentence of § 37(a)(1)(i), and the first clause of the first sentence of § 37(a)(4), as it referred to leave being accrued on a pro rata basis.

In subsection (b) of this section, the former reference to a "calendar" year is deleted as unnecessary in that it is relevant only to the carry-over provisions of § 7-306 of this subtitle.

The State Personnel Article Review Committee notes, for consideration by the General Assembly, that the meaning of, and therefore the need for, the term "continuous" in subsection (a) of this section is unclear. Moreover, there has been some disagreement over how this section is to be read in conjunction with Title 11, Subtitle 1 of this article, which allows certain credit for prior State service, but only upon an "authorized status of reinstatement" and only if the reinstatement is within 2 years of the prior separation.

See also Revisor's Note to § 7-506 of this title.

7-304. PRIOR APPROVAL REQUIRED.

(A) IN GENERAL.

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION; AN EMPLOYEE MAY USE ANNUAL LEAVE AT ANY TIME AFTER OBTAINING APPROVAL FROM THE HEAD OF THE EMPLOYEE'S PRINCIPAL DEPARTMENT OR OTHER INDEPENDENT UNIT.

(B) EXCEPTION.

AN EMPLOYEE MAY NOT USE ANNUAL LEAVE UNTIL THE EMPLOYEE HAS COMPLETED 6 MONTHS OF STATE SERVICE.

REVISOR'S NOTE: Subsection (a) of this section is new language derived without substantive change from former Art. 64A, § 37(a)(2)(ii) and the second clause of the first sentence of § 37(a)(4).

Subsection (b) of this section is new language substituted for the first clause of the first sentence of former Art. 64A, § 37(a)(4). The former reference to annual leave "accru[ing] ... after-his first six months" of service is misleading. Under long-standing Departmental understanding and administrative practice, an employee does begin to accrue annual leave as soon as the employee begins working. However, as stated here, the employee may not use any accrued annual leave during that first six months of service.