

BOARD OF UNIVERSITY AND SCHOOL LANDS SPECIAL MEETING AGENDA

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Phone Conference ID: 819 306 645#

April 29, 2021 at 4:30 PM

➤ = **Board Action Requested**

1. **Other – Jodi Smith**

- A. Commissioner Annual Leave Payout – pg. 2

MEMORANDUM TO THE BOARD OF UNIVERSITY AND SCHOOL LANDS

April 29, 2021

RE: Commissioner Annual Leave Payout

N.D. Admin. Code § 4-07-12-08 provides:

No more than two hundred forty hours of accrued annual leave may be carried forward beyond April thirtieth of each year. If a political subdivision that employs individuals in positions classified by human resource management services uses a cutoff date other than April thirtieth, then the political subdivision may continue to do so as long as the same cutoff date is used for all of the agency's employees who occupy positions that are classified by human resource management services, and the two-hundred-forty-hour limit is observed.

From January 2020 thru January 2021, the Commissioner of the Board of University and School Lands has worked 968 hours over the payable 2,264 hours. Due to the increased workload resulting from royalty repayment discussions, COVID-19 related workflow changes, information technology changes, legislative session preparation, and other significant business needs, the Commissioner was unable to utilize annual leave earned.

Under N.D. Admin. Code § 4-07-12-10:

An employee may not be paid for unused annual leave while the employee remains in the service of the agency, except for the following reasons:

1. The employee takes a long-term leave of absence;
2. The employee goes on educational leave;
3. The employee moves to temporary employment; or
4. Human resource management services approves a written request from an agency for an exception to this section for a business-related reason.

When an employee is transferring from one agency to another, the employee must be paid for the difference in hours between what the employee has accumulated and the number of hours the gaining agency will accept. When an employee is leaving the service of the agency, the employee must be paid for all accrued hours of annual leave.

If the Board does not authorize the payout of annual leave earned over the allowable 240 hours, the Commissioner will lose the hours earned.

Recommendation: The Board authorize the payout of annual leave earned over the allowable 240 hours of annual leave as of April 30, 2021.

Action Record	Motion	Second	Aye	Nay	Absent
Secretary Jaeger					
Superintendent Baesler					
Treasurer Beadle					
Attorney General Stenehjem					
Governor Burgum					