

28 NOV 1980

Executive Registry
80-8335

MEMORANDUM FOR: Deputy Director of Central Intelligence

FROM: Harry E. Fitzwater
Director of Personnel Policy, Planning,
and Management

SUBJECT: Clarification of Annual Leave Accumulation
Status of SIS Officers Converted to GS-15

1. Action Requested: Your approval is requested for the SIS annual leave accumulation provisions set forth in paragraph 3.

2. Background: Recently we have had a number of requests for clarification of the annual leave accumulation status of Senior Intelligence Service (SIS) officers who are converted to GS-15. Most of these involve SIS officers who have retired and have been rehired in contract status with a contract which provides for annual leave. One officer voluntarily accepted downgrade from the SIS to take a GS-15 assignment overseas which he particularly desired. A third potential situation, although to date we have not yet had such a case, concerns SIS officers who are involuntarily downgraded. The following facts bear on the issue:

a. Policy for the Senior Executive Service (SES) on this matter is contained in Section 630.301(c) of Title 5, United States Code. We have consulted with the Office of Personnel Management (OPM), who confirm that an SES officer who leaves the SES for any reason (including retirement or involuntary downgrade) and converts to a General Schedule status is permitted to retain as his/her maximum leave balance the amount available on the day of his/her SES termination.

b. Although the Director's special authorities were used in establishing the SIS annual leave system, the Agency generally followed OPM policy and guidance. The two exceptions were:

1) A CIA requirement that all SIS officers "use-or-lose" 80 hours of annual leave each year (SES members may accumulate all leave if they so desire).

2) A CIA provision that incoming SIS officers may accumulate all annual leave earned in their first year of SIS membership, subject to the "80-hour use-or-lose" rule. (SES members, during their first year, may accumulate above their previous maximums only the prorated portion earned after becoming SES members.)

c. During the first year of the SIS system, the SIS leave policy seems to have been universally well received by SIS members. They understand the need for at least two weeks of vacation each year and appreciate the opportunity to accumulate additional leave which they would otherwise forfeit due to busy work schedules.

d. The proposed policy on leave accumulation for those who leave the SIS is consistent both with the letter of the SES guidance and the spirit of the SIS adaptation.

3. Recommendation: It is recommended that SIS members who leave the SIS for any reason but continue to serve in a General Schedule status be permitted to retain as his/her maximum annual leave balance the amount available on the day SIS status is terminated.

Harry E. Fitzwater

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APPROVED: ILLEGIB

[REDACTED]

Deputy Director of Central Intelligence

Date

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OPPPM/C/SIS/SS [REDACTED] pak (26Nov80)

STATINTL

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM: Harry E. Fitzwater
 Director of Personnel
 Policy, Planning, and Management

EXTENSION NO. [REDACTED]

DATE 28 NOV 1950

TO: (Officer designation, room number, and building)

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NO.	TO: (Officer designation, room number, and building)	DATE		OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)
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1.	[REDACTED] OGC Hqs.				<p>While this is a matter on which I feel competent to make administrative determinations on individual cases, the Office of General Counsel informally has recommended that you confirm the general policy applied, since the SIS leave policy was established under the DCI's special authority.</p> <p>Harry E. Fitzwater</p> <p>Harry E. Fitzwater</p>
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3.	Deputy Director of Central Intelligence				
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6.	Director of Personnel Policy, Planning, and Management				
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