

HEALTH SCIENCE CENTER HANDBOOK OF OPERATING PROCEDURES

Chapter 4	General Personnel Policies	Effective:	November 2000
Section 4.7	Work and Leave Administration	Revised:	October 2003
Policy 4.7.7	Vacation or Annual Leave	Responsibility:	Vice President for Human Resources

VACATION OR ANNUAL LEAVE

Policy

University employees appointed twenty (20) hours per week or more and for four and one-half (4½) months or more earn vacation beginning on the first day of eligible employment, regardless of whether they are paid on a monthly or hourly basis. Faculty members who have nine-month basis rather than twelve-month basis appointments and employees appointed to positions which require student status as a condition of employment do not earn vacation hours.

Definitions

NINE-MONTH BASIS: Faculty members with appointments in the School of Nursing are typically appointed on a nine (9) month basis which is reflective of the semester-based academic calendar (September through May.) Faculty members may also be employed in the summer terms, but are still considered to have nine-month based appointments. Nine-month based employees (faculty) are not entitled to earn vacation.

TWELVE-MONTH BASIS: Faculty with terms of appointment for the entire year, September through August, are eligible to accrue vacation.

Leave Accrual and Carry Over

Full-time employees accrue vacation leave and may carry it forward from one fiscal year to the next in accordance with the following schedule:

<u>LENGTH OF STATE SERVICE</u>	<u>HOURS ACCRUED PER MONTH</u>	<u>ALLOWABLE CARRY-OVER</u>
Less than 2 years	8	180
At least 2 but less than 5 years	9	244
At least 5 but less than 10 years	10	268
At least 10 but less than 15 years	11	292
At least 15 but less than 20 years	13	340
At least 20 but less than 25 years	15	388
At least 25 but less than 30 years	17	436
At least 30 but less than 35 years	19	484
At least 35 years or more	21	532

Employees are encouraged to use vacation hours during the fiscal year

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in which they accrue. If this is not possible, employees are entitled to carry forward from one fiscal year to the next the balance of unused accumulated vacation leave that does not exceed the maximum number of hours allowed by law, as indicated above. All hours of unused accumulated vacation leave that may not be carried forward at the end of a fiscal year will be credited to the employee's sick leave balance effective on the first day of the next fiscal year.

An eligible part-time employee accrues vacation leave on a proportionate basis. The maximum amount of vacation leave a part-time employee may carry forward from one fiscal year to the next is also on a proportionate basis.

Credit for vacation leave accrual will be given on the employee's first day of employment and on the first day of each succeeding month thereafter. An employee who works for any part of a calendar month accrues vacation for the entire month.

Employees do not earn vacation leave when they are in an ineligible status, including when they are on leave without pay for an entire calendar month. If an individual's state employment anniversary date occurs on the first calendar day of a month, the employee begins to accrue vacation leave at a higher rate as indicated on the above chart on the first calendar day of the month. Otherwise, the higher rate of accrual begins on the first calendar day of the month following the anniversary date.

If an employee is on any type of paid leave that extends into the next month, any vacation accrual for the next month will not be credited until the date the employee returns to duty. An employee who goes on paid leave following his or her last day of duty then subsequently separates from employment, is not entitled to leave accruals while on such paid leave for any calendar month(s) following the month in which the last day of duty occurs.

Entitlement to Leave

Employees may not take vacation leave until they have been continuously employed with the state for six (6) months, although vacation hours will be accrued during that period. Continuous employment means that the employee is paid a regular state salary for the period, with the exception that continuity of employment is not

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interrupted if the employee is placed on leave without pay for less than one calendar month (i.e., a full calendar month of leave without pay does not count toward state service nor towards vacation accrual).

An employee who has completed six (6) months or more of continuous state employment and then leaves state employment is entitled to take vacation leave as it is earned upon reemployment in an eligible position.

**Payment or
Transfer of
Vacation Leave
When an
Employee
Separates from
Employment**

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1. Employees who at any time worked for the state for six (6) continuous months and who separate from state employment for any reason are entitled to be paid for the balance of accrued vacation time as of the date of separation, under the following conditions:
 - a. Leave one state agency or institution to begin working for another state agency or institution that grants vacation time after a break in service and are not re-employed in a position that accrues vacation leave during the thirty day period after leaving the previous job;
 - b. Move from a position in a state agency or institution that accrues vacation time to a position in that same agency or institution that does not accrue vacation time. The institution shall make such payments only under unusual circumstances when payments are deemed to be in the best interest of the institution. Holiday hours that fall within the period after the date of separation are not paid. When an employee moves to an ineligible position and is not paid vacation hours, the accrued time is frozen until the employee becomes eligible again or terminates employment.
 - c. Move from a position in a state agency or institution that accrues vacation time to a position in another state agency or institution that does not accrue vacation time. Payment must be made by the first employer if the other state agency or institution refuses to credit the employee for the balance of the employee's vacation time as of the date of the move. Holiday hours that fall within the period after the date of separation are not paid; or,
 - d. Hold two or more positions and separate from one that accrues vacation time.

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2. Employees may, with the written approval of the Chair or department head and the concurrence of the respective executive committee member, be allowed to remain on the payroll after the last day worked to utilize vacation leave in lieu of being paid in a lump sum. Employees will continue to receive all compensation and benefits that the employee was receiving on the last day of duty, including paid holidays, longevity, and/or hazardous duty pay. Employees will not accrue any additional vacation leave or personal leave while remaining on the payroll to utilize such vacation leave, nor can such leave be used. Employees will not accrue any additional sick leave while remaining on the payroll to utilize such vacation leave, nor can such leave be used. The written approval to exercise this option must be provided to Human Resources prior to the effective date of the employee's termination.
 3. If employees are paid for vacation upon separation, they will be credited for any holiday that falls within the period after the date of separation and the last date of the period in which the employee would have used the time had the employee remained on the payroll. Lump sum payments for accrued but unused vacation time are computed as though the employees actually worked the holiday.
 4. Lump sum payments to employees will be computed based on the rate of compensation or the last date of employment. For employees who transfer from an eligible to an ineligible position and who then terminate employment, payment will be made based on the rate of compensation in the eligible position.
 5. Lump sum vacation payments will not include any hazardous duty or longevity pay. Such payments will include any emoluments received in lieu of pay, such as car or housing allowances.
 6. An employee transferring from one state agency or institution to another without a break in service will have his or her accrued but unused vacation leave balance transferred.
 7. If an individual separates from one state agency and is re-employed by a state agency in a position that accrues vacation leave within thirty days after the individual's date of separation, the individual is entitled to reinstatement of the unused balance of the previously accrued vacation leave unless the leave has been paid out.

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8. In the case of the death of an employee who has an accrued vacation balance after six (6) months of continuous employment, his or her estate will be paid for all of the accumulated vacation leave. The payment shall be calculated at the rate of compensation being paid the employee at the time of death.
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Procedures

1. Employees should make requests for vacation leave in advance.
2. Leave requests must be approved by the supervisor with consideration for staffing requirements in the department.
3. Vacation leave time must be accounted for and used in hours. When charging for time less than an hour, vacation leave taken or earned must be expressed as a decimal fraction, i.e., thirty (30) minutes = 0.50 hours, forty-five (45) = 0.75 hours, etc.
4. Holidays falling during an individual's vacation leave period are not charged against vacation leave.
5. Illness occurring during a vacation period will be charged against sick leave and will not be charged against vacation leave if the employee presents a physician's statement or other acceptable verification.
6. All time taken during a month must be entered by the department in the document review system (DRS) by the 10th of the following month.
7. When an employee has exhausted all vacation and personal leave entitlements, that employee should be removed from the payroll rather than incurring a negative vacation leave balance in excess of one month's vacation accrual. The employee can be removed from the payroll by entering the leave of absence (LOA) transaction in the employee's record in the PeopleSoft system.
8. For those employees terminating employment with accumulated vacation, the department should contact the Office of Human Resources to arrange for disposition of the unused balance.

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9. For employees who transfer from a position that was eligible for vacation accrued to one that is ineligible and then subsequently terminate employment, payment for vacation hours must be made based on the last salary rate that was in effect in the eligible position.

 10. For employees transferring to another state agency with or without a break in service, the new employing agency should contact the Office of Human Resources so that vacation hours are transferred appropriately.

 11. Falsification of leave records by an employee or by a departmental person responsible for leave record keeping is a violation of University policy and is subject to disciplinary action up to and including termination.
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