

**Purpose**

To allow and encourage every eligible employee to renew their physical and mental capabilities and to remain a fully productive employee. Vacation leave also covers absences due to personal obligations, adverse weather conditions, and in lieu of sick leave, illness in the immediate family.

**Policy**

Employees shall receive vacation leave hours based on years of continuous service from initial date of benefit eligible employment and pro-rated based on hours worked annually.

Any personnel action/ position status change (i.e. full time eligible to part time not eligible or part time not eligible to full time eligible) which takes place during the employee's tenure shall result in an employee receiving vacation leave in accordance with this policy..

Employees hired prior to January 1, 2022 and working more than 1,040 hours annually (average of 20 hours per week) (January 1<sup>st</sup> – December 31<sup>st</sup>) are eligible for this benefit.

Employees accrue vacation while in a paid status, excluding long term disability.

The Department Director/Manager shall be responsible for scheduling vacations to allow for adequate staffing to meet the departmental workload. This scheduling may specify periods during which some or all employees may not take vacation leave.

**Accrual Rate**

Vacation leave is earned on the following basis for full time (40 hours per week) employment on a regularly scheduled basis:

<b>Years of eligible continuous service</b>	<b>Hours earned each pay period (26 pay periods)</b>	<b>Hours earned per year</b>	<b>Total days</b>
<b>0-4</b>	<b>3.40</b>	<b>88.40</b>	<b>11.00</b>
<b>Start of year 5-9</b>	<b>4.61</b>	<b>119.86</b>	<b>14.98</b>
<b>Start of year 10</b>	<b>4.92</b>	<b>127.92</b>	<b>15.99</b>
<b>Start of year 11</b>	<b>5.23</b>	<b>135.98</b>	<b>16.99</b>
<b>Start of year 12</b>	<b>5.53</b>	<b>143.78</b>	<b>17.97</b>
<b>Start of year 13</b>	<b>5.84</b>	<b>151.84</b>	<b>18.98</b>
<b>Start of year 14</b>	<b>6.15</b>	<b>159.90</b>	<b>19.98</b>
<b>Start of year 15</b>	<b>7.2</b>	<b>187.2</b>	<b>23.4</b>

Vacation leave is earned on the following basis for regular full-time employment of 30 to 39 hours per week:

Effective Date	Hours Earned	Hours earned	Total Days
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**Policy:** **Vacation Leave**  
**Effective:** 10/1/2007; 12/26/2021  
**Revised:** 4/1/2014; 8/20/19; 12/7/2021

	Each pay period (26 pay periods)	Per Year	
December 26, 2021	2.72	70.72	8.84

Vacation leave is earned on the following basis for part time employment on a regularly scheduled basis of 20 -29 hours per week:

Effective Date	Hours Earned Each pay period (26 pay periods)	Hours earned Per Year	Total Days
December 26, 2021	1.7	44.2	5.525

#### Maximum Accumulation

The following is a table of maximum accumulation based on years of continuous Service as a full-time employee on a regularly scheduled basis. Maximum accumulation is twice the number of hours an employee earns during a 12-month period.

Years of eligible FT continuous service	Maximum Hours	Maximum Days
1 - 4 years	176.80	22.10
5 - 9 years	239.72	29.96
10 years	255.84	31.98
11 years	271.96	33.99
12 years	287.56	35.94
13 years	303.68	37.96
14 years	319.80	39.97
15 years	338.00	42.25
Eligible PT continuous Service effective 12/26/ 2021	Maximum Hours 88.4	Maximum Days 11.05

#### Waiting Period

No waiting period. Employee earns vacation leave from date of employment.

#### Earned vacation availability

The computer system will calculate vacation and post at the end of each pay period. The accumulated leave hours will be available for use in the period in which it is earned. Borrowing from future earned vacation hours or going into a negative vacation leave balance is prohibited.

**Forfeitures**

It is the responsibility of the employee to be cognizant of his or her accrual from one pay period to the next to ensure that the maximum accumulation listed above is not exceeded.

Employees shall forfeit vacation leave that exceeds the maximum accumulation. There are no exceptions to this policy, except for the following:

- The City Administrator may waive this for a temporary period of time if the City cancels a scheduled vacation or if a vacation request is turned down due to workload or emergency. This is the exception not the rule.

**Requesting timelines**

The employee will complete a “Leave/Absence” form (see section 11) based on the following:

- For each leave period requested, leave shall be taken in units of no less than one hour.
- Vacation request of less than one day, one, two or three days must be requested as soon as reasonably possible.
- Vacation request of greater than three days should be requested at least 14 calendar days in advance.

**Vacation approval, denial or cancellation**

Vacation leave must be approved by the Department Director/ Manager and may be denied due to inadequate notice, or interference with the City’s ability to perform public service.

The employer will consider the preferences of the employee and the needs of the department to provide public service when responding to a “Leave/Absence” form.

The Department Director/Manager will provide a signed copy of the “Leave/Absence” form as a response to the Employee’s request for major vacations within ten (10) working days of the Department Director/Manager receipt of the Leave/Absence form. Failure of the Department Director/ Manager to provide the signed form within 10 days will cause the vacation to be approved.

Should the Department Director/ Manager need to deny the vacation, the Department Director/ Manager will void the “Leave/Absence” form and will write a brief memo to the employee as to the reason for denial within 10 working days of the original request.

Vacation requests approved by the Department Director/Manager cannot be cancelled unless the life and safety of the public is a concern.

If an employee does not work all hours scheduled in a pay period and has not requested accrued leave, the employee’s paycheck will be supplemented with the employee’s accumulated vacation time in order to make the employee’s paycheck whole.

**Exceeding 81 hours**

A vacation request exceeding eighty-one consecutive hours requires the approval of the City Administrator.

Floating holidays, comp time, or holiday hours may not be used to extend the number

of hours absent from work beyond the eighty-one hours of vacation leave without approval of the City Administrator.

**Holiday during  
vacation leave**

If a regularly scheduled holiday falls during an employee's vacation, it will not be considered vacation leave but holiday leave.

**Sick leave during  
vacation leave.**

If an employee becomes ill or injured during a scheduled vacation leave, it will not be considered vacation leave if the employee is able to provide adequate medical records.

**Funeral leave during  
vacation leave**

If the employee suffers the loss of a family member or relative during vacation leave, and funeral leave is appropriate, the time off for funeral leave will not be considered vacation leave.

**Vacation Buy Out**

Employees may request up to forty (40) hours of accumulated vacation as cash instead of time off once per year. Criteria for requesting a buy out:

- Employee will complete a "leave/absence" form (see section 11) to initiate the buy out.
- Employee must submit "sell vacation or comp time hours" form four weeks in advance of needing the buy out.

**Resignation  
Termination  
Retirement**

Any employee leaving the city in good standing, after giving proper notice of such termination of employment, shall receive earned unused vacation to the date of separation based on Health Care Savings Plan (HCSP) contract requirements.

**Death of Employee**

If an employee dies while in the employment of the City, the earned vacation hours shall be paid to the employee's estate.

**Injury on Duty-  
Worker's  
Compensation**

An employee may utilize vacation hours while receiving worker's compensation benefits to receive uninterrupted wages and benefits. The employee must:

- Request vacation utilization during a worker's compensation leave from the Human Resources department.
- Endorse the worker's compensation check received from the Worker's Compensation insurance company to the City.
- Human Resources will divide the worker's compensation check amount by the employee's hourly wage resulting in an employee personal action form that reinstates vacation hours to the employee's vacation account.

**Recruiting Balances**

The City Administrator has the authority to establish beginning levels of vacation leave for recruiting purposes. In making such a determination, the City Administrator will consider the prospective employee's qualifications, education, prior experience, length of service in the same or similar jobs, and the needs of the City.

**Disclaimer**

Nothing in this section, regardless of its clarity or specificity, creates, or is intended to create, and employee acknowledges that nothing in this section creates, or intended to create, an express or implied contract, covenant, promise, representation between the city and its employees or legal or equitable right related to Vacation Leave.

The city may change or eliminate this policy, or portions thereof, at its discretion at

any time, and without notice.

This section does not vest in any employee a right, benefit, or privilege related to Vacation Leave which cannot be changed or eliminated by the city council, in its exclusive discretion, at any time without notice to employees.

Vacation Leave or any components thereof shall remain solely within the discretion of the employer to modify, establish or eliminate.

The foregoing enumeration of the employer's authority related to Vacation Leave shall not be deemed to exclude other inherent management rights and functions.

The employer's failure to exercise any right, prerogative, or function hereby reserved to it, or the employer's exercise of any such right, prerogative, or function in a particular way, shall not be considered a waiver of the employer's right to exercise such right, prerogative, or function or preclude it from exercising the same in some other way related to Vacation Leave.

This disclaimer disclaims any employee from making any claim for Vacation Leave.