

CHAPTER:	6 – LEAVE TIME	ADOPTED: 3/7/06
SECTION:	3 – VACATION	REVISED: 11/20/07

Title 4A:6-1.1(a) specifies the rules governing minimum vacation leave for local government employees. Part-time employees are entitled to proportionate amounts of paid vacation leave unless they work on average less than 10 hours per week and are provisional or temporary (4A:6-1.2(d)). Furthermore, annual vacation leave is determined in accordance with the appropriate negotiated contracts. Non-union employees' vacation time accrues in the following manner:

- (1) During the first calendar month of employment, employees who are hired prior to the 16th day of the month will earn one working day of vacation; all others hired between the 17th and the 24th day of the month will earn one-half working day of vacation. Any employee hired between the 25th and end of the month, shall not be eligible to earn vacation time until the 1st day of the following month. During the remainder of the first calendar year of employment and after completion of the first month of employment, employees will earn one additional working day of vacation for each additional full month of employment.
- (2) After the first year of service, vacation time is credited at the beginning of the calendar year in anticipation of continued employment (4A:6-1.2(a)1).
- (3) Beginning with the second calendar year of employment, employees will be entitled to twelve working days of vacation.
- (4) Beginning with the year in which their 5th anniversary falls, employees will be entitled to fifteen working days of vacation.
- (5) Beginning with the year in which their 12th anniversary falls, employees will be entitled to twenty working days of vacation.
- (6) Beginning with the year in which their 20th anniversary falls, employees will be entitled to twenty-five working days of vacation.
- (7) If an employee does not remain on paid status, proportionate deductions of vacation leave will take place.
- (8) During the final year of service, an employee may take their accrued vacation entitlement or may elect to receive payment in lieu of time off (4A:6-1.2(f)).

Vacation requests will not be unreasonably denied. However, proper staffing of departments and County facilities as well as operational needs of the County must take precedence over all other considerations in scheduling vacations.

Vacation leave will be scheduled in accordance with the appropriate negotiated contract. Preference in vacation scheduling is given to those requests which are submitted first; provided, however, that if two or more requests are received simultaneously, seniority will prevail.

Vacation leave may be used in half-hour increments.

Vacation leave not taken during the calendar year because of the pressure of official business shall be used during the next succeeding year only and shall be scheduled to avoid losing the leave (4A:6-1.2(f)).

Any employee who exhausts all of his/her vacation leave in any one year shall not be credited with any additional paid vacation leave until the beginning of the next calendar year (4A:6-1.2(h)).

The total number of unused vacation time that may be carried over to the next calendar year is determined in accordance with negotiated contracts. However, at no time shall an employee be allowed to carry over into the next year more leave time than they accrued in that year.

Accrued, unused vacation leave shall be paid to the estate of a deceased employee (4A:6-1.2(i)).

If employment terminates prior to the end of the calendar year, an adjustment will be made in the employee's final paycheck for any vacation leave which has been used, but not yet earned.

Other provisions which may affect vacation procedures may be found in the appropriate negotiated agreements.

Employee:

Requests vacation from the Department Head/designee.

Submits a written request to change vacation leave to sick leave to the Department Head in the event the employee was hospitalized for an injury or illness for two or more days while on vacation leave. Proof of hospitalization should accompany such a request.

Department Head/designee:

Will honor vacation requests if at all possible with the understanding that proper staffing of department units and County operational needs take precedence over all other considerations in scheduling vacations.

Recommends to the Human Resources Director approval/disapproval of employees' requests to change vacation leave to sick leave in the event the employee was hospitalized for an injury or illness for two or more days while on vacation leave. Medical documentation will be required from employees for this request.

Human Resources Director/designee:

Issues decision of approval/disapproval of employees' requests to change vacation leave to sick leave in the case of a serious illness or accident.