

City of Joshua Personnel Policies and Procedures

Section 5: Leave

5.2 VACATION LEAVE

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A. FULL-TIME EMPLOYEES

Eligibility

All regular full-time employees will accrue vacation leave beginning on their date of hire. The rate at which vacation is accrued will be based on years of service with the City. Part-time, temporary, and seasonal employees are not eligible to accrue vacation leave.

Employees are eligible to use vacation leave once they have completed their first six (6) month of employment. Exceptions to this policy must be approved in writing by the City Manager.

Accrual Rate

Regular employees and sworn personnel will accrue vacation based on 8-hour day. 24-hour fire suppression personnel will accrue vacation based on a 12-hour shift. The maximum allowable accrual of vacation leave will be two (2) times the annual accrual rate.

Vacation accruals will be distributed over twenty-six (26) pay periods each year. If an employee reaches the maximum accrual rate accruals will stop until their vacation leave balance is below the allowed maximum. Failure to use or sell back any hours over the allowable annual accrual will result in the loss of accrued vacation leave. This is generally referred to as the “use it or lose it” rule.

Non-Exempt Employees

Up to 60 months (0-5 years of service)	Days Per Year	Hours Per Pay Period	Maximum Vacation Accrual Hours/Days
40-Hour Employees	10 days	3.08 hours	160 hours/20 days
40-Hour Sworn Police	10 days	3.08 hours	160 hours/20 days
24-Hour Certified Fire	5 shifts	4.62 hours	240/10 shifts

61-108 months (6-9) years of service)	Days Per Year	Hours Per Pay Period	Maximum Vacation Accrual Hours/Days
40-Hour Employees	15 days	4.62 hours	240 hours/30 days
40-Hour Sworn Police	15 days	4.62 hours	240 hours/30 days
24-Hour Certified Fire	7 shifts	6.46 hours	336/14 shifts

120 + months (10+ years of service)	Days Per Year	Hours Per Pay Period	Maximum Vacation Accrual Hours/Days
40-Hour Employees	20 days	6.15 hours	320 hours/40 days
40-Hour Sworn Police	20 days	6.15 hours	320 hours/40 days
24-Hour Certified Fire	10 shifts	9.23 hours	480/20 shifts

Exempt Employees

Up to 120 months (0-10 years of service)	Days Per Year	Hours Per Pay Period	Maximum Vacation Accrual Hours/Days
40-Hour Employees	15 days	4.62 hours	240 hours/30 days
132 - Months (11 + years of service)	Days Per Year	Hours Per Pay Period	Maximum Vacation Accrual Hours/Days
40-Hour Employees	20 days	6.15 hours	320 hours/40 days

B. EMPLOYEES MOVING FROM A NON-EXEMPT TO AN EXEMPT POSITION OR VICE VERSA

Employees being transferred, promoted, or demoted to a different position shall retain their accrued vacation balance. The accrual rate will change if there is a change to the FLSA exemption for that position. If this change results in the employees leave balance being above the allowed maximum a resolution will be determined by the department head and Human Resources, with approval of the City Manager.

C. VACATION ACCRUAL - PARTIAL PAY PERIOD ACCRUAL

An employee will not accrue vacation if they work less than one-half ($\frac{1}{2}$) of the pay period. This would apply to new hires, separations, administrative leave without pay, or unpaid FMLA. This does not apply to employees utilizing approved paid leave.

D. VACATION ACCRUAL DURING UNPAID LEAVE OF ABSENCE

An employee will not accrue vacation during pay periods where unpaid leave is used for one-half ($\frac{1}{2}$) or more of the pay period, including unpaid FMLA. Vacation pay will not be authorized during a leave of absence without pay or a disciplinary suspension.

E. SCHEDULING OF VACATION

Leave Request Form- Requestor

Employees should submit a Leave Request Form to their supervisor or department head no less than thirty (30) days prior to their requested day off.

Employees can use vacation leave in quarter-hour ($\frac{1}{4}$) hour increments. Vacation days off will be limited to not more than ten (10) consecutive days (2-weeks) in a ninety (90) day period. 24-hour fire suppression employees shall take no more than five (5) shifts worth of vacation time in a (90) day period. (Exception: In an emergency situation or when used during FMLA).

Leave Request Form- Supervisor Review

When requests are reviewed due consideration should be given to the needs of the requesting employee. However, vacation leave should only be approved when the workload permits and the leave does not interfere with normal department operations and the needs of the City. The operational needs of the department may require supervisors to request that employees explain the circumstances of their requested leave, to aid in the decision-making process. If additional information is requested, failure to provide information or documents concerning the requested leave may result in the denial of the use of leave. Nevertheless, every effort shall be made to accommodate individual requests.

Supervisors may rescind previously approved vacation leave due to shift coverage. When doing so, the supervisor must consider the consequences to the employee of which the supervisor is aware (prepaid travel expenses, family issues, employee morale) compared to the operational needs of the department in deciding whether to rescind requested leave.

Employees cannot “borrow” from future leave accruals. Approved Leave Request forms should be submitted to the Human Resources Department.

F. HOLIDAYS DURING VACATION

Official City holidays occurring during an employee's vacation shall not be charged to vacation leave.

G. ILLNESS DURING VACATION

Employees who become hospitalized or incapacitated due to injury or illness during the period of their vacation leave may request that their vacation be temporarily terminated, and their time be charged to sick leave. Department Heads and supervisors may require satisfactory proof of illness. If approved, a revised Leave Request form should be submitted to the Human Resources Department reflecting the approved change.

H. VACATION SELL BACK

Regular full-time employees are eligible to sell back a maximum of eighty (80) hours accrued vacation leave per fiscal year. When selling back vacation leave an employee's vacation leave balance must not fall below forty (40) hours. Employees requesting to sell back vacation leave must submit a Sell Back Request form to Human Resources to confirm the request is in compliance with the stated policy.

I. SEPARATION PAY

Regular full-time employees who have completed their probationary period and are in good standing will be eligible to receive payment for accrued vacation leave, so long as they provide and complete a two (2) week notice.

Payment upon separation shall not exceed 160 hours for regular full-time employees and sworn police and 240 hours for 24-hour fire shift personnel.

If the employee is terminated or resigns without providing a two (2) week notice or fails to work the full two (2) weeks, no payment for accrued vacation leave shall be made. If an employee leaves the city for any reason during their probationary period, no payment will be made for vacation leave.

Department directors or city administration may choose to wave a two (2) week notice. In this case the employee would still be eligible for payout in accordance with this policy.

An employee may not extend their last date of active employment by taking vacation during a notice period for purposes to extend benefit coverage or use vacation overage that exceeds caps prior to policy change.