

## CHAPTER 13

### VACATIONS

#### BARGAINING UNITS REFER TO CONTRACT

-----  
13.1 VACATIONS

13.1.A RATIO FOR EARNING VACATION/REGULAR EMPLOYEES: Regular classified employees, or a regular employee temporarily assigned to a provisional or limited term assignment, shall earn vacation as approved by the Board of Trustees. The Board of Trustees provides that an employee earns vacation on a monthly basis at the rate of:

| <u>Fiscal Year of Employment</u>                    | <u>Days per Year</u> | <u>Rate Earned</u> |
|---|----------------------|--------------------|
| 1 <sup>st</sup> year through 3 <sup>rd</sup> year   | 13                   | .0500              |
| 4 <sup>th</sup> year through 6 <sup>th</sup> year   | 15                   | .0577              |
| 7 <sup>th</sup> year through 9 <sup>th</sup> year   | 17                   | .0654              |
| 10 <sup>th</sup> year through 12 <sup>th</sup> year | 19                   | .0731              |
| 13 <sup>th</sup> year through 19 <sup>th</sup> year | 21                   | .0808              |

13.1.B RATIO FOR EARNING VACATION/MANAGEMENT, SUPERVISORY & CONFIDENTIAL EMPLOYEES: Classified directors, management, supervisory and confidential employees shall earn vacation as approved by the Board of Trustees. The Board of Trustees provides that management employees earn vacation on a monthly basis at the rate of 1.75 per month (21 days vacation annually).

13.1.C VACATION RATE OF PAY: All vacation shall be paid at the employee's regular rate of pay earned in his/her permanent classification including any longevity.

13.1.D PART-TIME EMPLOYEES: Regular employees working less than full time shall earn vacation benefits in direct proportion to full-time employees. Employees working less than a twelve (12) month assignment will receive their vacation based on a pro rate portion.

13.1.E VACATION CREDIT FOR PARTIAL MONTH: An employee in paid status for fifty percent (50%) or more of the working days in the month shall receive vacation credit for that month. A creditable pay period is one in which the employee is compensated for seventy-five percent (75%) or more of the working days in the pay period.

1. An employee absent on leave without pay or an employee laid off for lack of work or lack of funds shall not accumulate vacation credit during the period of his/her absence from active service.

13.1.F PROBATIONARY EMPLOYEES VACATION RIGHTS: Probationary employees shall not have a right to use earned vacation until the completion of six (6) months of employment.

1. Following the completion of six (6) months of paid service, new employees will be eligible to take vacation.
2. The employee shall be credited with the hours of vacation accumulated in accordance with the provisions of the vacation allowance section.

13.1.G VACATION SCHEDULING FOR LESS THAN ELEVEN MONTH EMPLOYEE: Regular employees who work less than eleven (11) months shall take their earned vacation during the Winter and /or Spring recesses. However, with the approval of the appropriate supervisor, they may be allowed to take vacation at other times and then will be relieved from duty without pay during the winter or spring recess periods for a number of days equal to that of the vacation days taken.

13.1.H VACATION SCHEDULING FOR ELEVEN MONTH PLUS EMPLOYEES: An employee assigned eleven (11) months plus per year shall take vacation at a time convenient to both the employee and the supervisor and the efficiency of the Department or Division will be least affected. The employee shall be allowed to take all earned vacation in one unbroken period if it is the employee's wish to do so.

1. In determining the vacation schedule for individual departments, the supervisor shall give employees the choice of times available on the basis of seniority.

13.1.I CREDITING OF VACATION TO EMPLOYEE'S ACCOUNT: The amount of vacation that an employee would earn for the year will be allocated to employee at beginning of the fiscal year (July 1) as stipulated in Section 13.1. A or 13.1. B of these rules. Amended April 2000

13.1.J UNEARNED VACATION UPON TERMINATION: When a classified employee terminates and had been granted vacation which was not yet earned at the time of termination of the employee's services, the District shall deduct from the employee's final check the full amount of salary which was paid for such unearned days/hours of vacation taken.

13.1.K. EARNED VACATION UPON TERMINATION: When a classified employee terminates employment, the employee shall be entitled to lump sum compensation for all earned and unused vacation, at their regular rate of pay, except for employees who have not completed six (6) months of employment in regular status shall not be entitled to such compensation.

13.1.L. VACATION CARRY-OVER: Twelve (12) or eleven (11) month employees may carry over to the next fiscal year one-half ( $\frac{1}{2}$ ) of their July 1 balance each year. Employees working less than eleven (11) month who are unable to take the full vacation allowance because of the District requirements, shall be paid for vacation due them as of June 30.

1. Classified directors, management/supervisory, and confidential employees may accrue a maximum number of vacation days equal to one and one half ( $1 \frac{1}{2}$ ) times their annual vacation as of July 1<sup>st</sup> of a fiscal year.
2. If an employee has accumulated the maximum allowable vacation, and as required by the District is unable to use the vacation, the Superintendent-President or his/her designee, for the convenience of the District, may extend the time during which earned vacation may be utilized by not more than two months or authorize payment in lieu of vacation earned above the maximum allowable accumulation.

13.1.M. VACATION HOLIDAYS: If a District-approved holiday falls within a scheduled vacation, the employee shall not be charged a vacation day for the holiday.

13.1.N. VACATION POSTPONEMENT: Vacation may, with the approval of the District, be taken any time during the school year. If the employee is not permitted to take his/her annual vacation, the amount not taken shall accumulate for use in the next year or be paid for in cash at the option of the governing board.

88197 REFERENCE: Education Code Sections 88080, 88081, 88190 and