

**ARTICLE 14**  
**VACATIONS AND HOLIDAYS**

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Vacations

- 14.1 Employees are eligible for paid vacation in accordance with the schedule in Provision 14.2 below.

Vacation Accrual

- 14.2 Service requirements below are in terms of full-time service. Service requirements shall be pro rata for employees who work less than full-time.

				<u>Vacation Credit Per Monthly Pay Period</u>	
				<u>Hours</u>	<u>Days</u>
				(Hourly Equivalent of Days)	(Annual Accrual Equivalent)
<u>Service Requirements</u>					
1 Month	to	3 Years	5/6	6-2/3	10
37 Months	to	6 Years	1-1/4	10	15
73 Months	to	10 Years	1-5/12	11-1/3	17
121 Months	to	15 Years	1-7/12	12-2/3	19
181 Months	to	20 Years	1-3/4	14	21
241 Months	to	25 Years	1-11/12	15-1/3	23
301 Months and Over			2	16	24

- 14.3 Employees serving in a cruise year appointment do not accrue vacation credits and are not eligible for paid vacation.
- 14.4 Intermittent employees earn vacation credit in accordance with HR/Leaves 2002-01 or in any superseding Technical Letter, if applicable.

Vacation Credits

- 14.5 For purposes of computing vacation credit, an employee who works eleven (11) or more days in a monthly pay period is considered to have completed a month, a month of service, or continuous service. When an absence without pay of more than eleven (11) consecutive working days falls into two (2) consecutive qualifying monthly pay periods, one (1) of the pay periods is disqualified.
- 14.6 An authorized leave of absence without pay shall not be considered service for the purpose of vacation accrual.
- 14.7 Vacation credits are cumulative to a maximum of two hundred and seventy-two (272) working hours for ten (10) or less years of qualifying service or three

hundred and eighty-four (384) working hours for more than ten (10) years of such service. Accumulation in excess of this amount as of January 1 of each year shall be forfeited by the employee. An employee shall be permitted to carryover more than allowable credits when the employee was prevented from taking enough vacation to reduce the credits because the employee (1) was required to work as a result of fire, flood, or other extreme emergency; (2) was assigned work of priority or critical nature over an extended period of time; (3) was absent on full salary for compensable injury; or (4) was prevented from using vacation previously scheduled to be taken in December because of being on paid sick leave.

- 14.8 A probationary employee shall not take vacation until completion of one (1) month in work status, unless by mutual agreement.

#### Vacation Requests

- 14.9 *Based upon the operational needs of the campus, vacation schedules shall be determined by the appropriate administrator. Vacations shall be scheduled and taken only as authorized by the appropriate administrator. If a conflict in vacation requests arises, the appropriate administrator shall give consideration to the employee(s) with the most seniority, provided that operational needs are met.*

*Once approved in writing, vacations shall not be rescinded without the mutual consent of the employee and the appropriate administrator, except in cases of emergency as determined by the appropriate administrator.*

Requests for scheduling vacation shall be submitted in writing to the appropriate administrator at least thirty (30) days in advance. When authorized to do so by the appropriate Administrator, an employee may submit a written request with less than thirty (30) days notice. ~~When authorized to do so by the appropriate administrator, an employee may take vacation without submitting such a request.~~

In all cases the appropriate administrator shall respond to in writing, either approving or denying the request. The response shall be provided as soon as possible, but no later than fourteen (14) days after the submission of the employee's written request. If the appropriate administrator has not provided a response to an employee's vacation request within fourteen (14) days, the employee may elevate his or her request to the next level appropriate administrator. The next level appropriate administrator shall respond in writing, either approving or denying the request. The response shall be provided as soon as possible, no later than seven (7) days after employee's elevation of the request.

~~If an employee submits a vacation request for five (5) days or less with less than thirty (30) days notice, such request will be approved subject to operational needs. The appropriate administrator shall respond in writing to an employee's vacation request as soon as possible. The appropriate administrator shall respond in writing to vacation requests of five (5) or more days as soon as possible, but no later than within thirty (30) days of the employee's request. Once approved in writing, vacations shall not be rescinded without the mutual consent of the employee and the appropriate administrator, except in cases of emergency as determined by the appropriate administrator.~~

~~Based upon the operational needs of the campus, vacation schedules shall be determined by the appropriate administrator. Vacations shall be scheduled and taken only as authorized by the appropriate administrator. If a conflict in vacation requests arises, the appropriate administrator shall give consideration to the employee(s) with the most seniority, provided that operational needs are met.~~

- 14.10 Whenever an employee's accrued vacation amount will exceed or has exceeded the maximum accrual by the end of the calendar year as a result of the denial of one or more requests by the employee to schedule and use vacation in the last quarter of the calendar year, the following procedure shall apply:
- a. The employee shall submit a vacation request for the use of the excess vacation and the appropriate administrator shall respond to the request within ten (10) working days.
  - b. In the event that the request has not been granted within the ten (10) day period, the employee and the appropriate administrator shall attempt to reach mutual agreement on alternative dates on which to use the excess vacation.
  - c. If the employee and the appropriate administrator are unable to reach agreement, the employee may suggest three (3) alternative, non-overlapping periods of vacation time to be completed no later than June 30 of the new calendar year to utilize the excess vacation. The appropriate administrator shall agree to one of the three (3) scheduling options submitted by the employee.
  - d. If the employee fails to submit the three (3) scheduling options for use of the excess vacation, the appropriate administrator will direct the use of vacation on days to be determined by the appropriate administrator.

#### Lump Sum Payment

- 14.11 Upon separation from service, an employee is entitled to a lump sum payment as of the time of separation for any unused or accumulated vacation. Such sum shall

be computed by projecting the accumulated time on a calendar basis so that the lump sum will equal the amount which the employee would have been paid had he/she taken the time off, but not separated from service.

### Holidays

- 14.12 The holidays designated in this Article are intended to be a day off of a regularly scheduled workday, except as provided in provision 14.16. The amount of time an employee has off for the Holiday without a loss in pay shall be the number of hours the employee is normally scheduled to work.
- 14.13 The following paid holidays, except as provided in Provision 14.14 below, shall be observed on the day specified:
- a. January 1
  - b. Third Monday in January (Martin Luther King Jr. Day)
  - c. March 31 (Cesar Chavez Day)
  - d. July 4
  - e. First Monday in September (Labor Day)
  - f. November 11 (Veteran's Day)
  - g. Thanksgiving Day
  - h. December 25
  - i. Any other day designated by the Governor for a public fast or holiday.
- 14.14 The paid holidays listed in this provision shall be observed on the day specified unless they fall on a Saturday or Sunday, or are rescheduled for observance on another day by the President.
- a. Third Monday in February (Washington's Birthday)
  - b. February 12 (Lincoln's Birthday)
  - c. Last Monday in May (Memorial Day)
  - d. Admission Day
  - e. Second Monday in October (Columbus Day)
- 14.15 Any holiday listed in this Article which falls on a Saturday shall be observed on the preceding Friday. Any holiday in this Article which falls on a Sunday shall be observed the following Monday.
- 14.16 The amount of time off an employee shall receive with no loss in pay to observe the holiday is as provided below:

- a. An employee scheduled to work on the day a holiday is officially observed, except as provided in provision 14.16 (b), shall be entitled to the holiday. The number of hours of the holiday shall be determined by the hours the employee is normally scheduled to work on the day the holiday is observed.
- b. If an employee is on a compressed work schedule or an alternate work schedule and the holiday is observed on a non-workday, the employee shall be entitled to a day equal to his/her normal workday. This holiday must be used within one hundred and eighty (180) days after the holiday was observed.
- c. If an employee has been unable to take his/her holiday within one hundred eighty (180) days due to operational need, he/she shall be paid for the holiday.

14.17 An intermittent employee is entitled to holiday pay based on the number of hours worked in the month the holiday is observed in accordance with HR/Leaves 2002-01, or in any superseding Technical Letter, if applicable, in accordance with the following table:

<u>Hours Worked</u>	<u>Hours Holiday Pay</u>
0 – 10.9	0
11 – 30.9	1
31 – 50.9	2
51 – 70.9	3
71 – 90.9	4
91 – 110.9	5
111 – 130.9	6
131 – 150.9	7
151 +	8

- 14.18 An employee on a leave of absence without pay or in other non-pay status on a day a holiday is officially observed shall not be entitled to the holiday.
- 14.19 If a holiday falls on a scheduled workday during an employee's vacation or within a period of absence chargeable to sick leave, the holiday will not be charged to sick leave or vacation time.
- 14.20 A campus yearly calendar, including campus Holiday closures of the campus, shall be provided to the employees at least thirty (30) days before its effective date.
- 14.21 An employee shall be permitted to use accrued vacation or his/her Personal Holiday if the President closes the campus and there is an insufficient number of holidays scheduled to be observed during the closure. Employees eligible for CTO may use accrued CTO during periods of campus closure.

- 14.22 Should an employee not have vacation accrued, sufficient CTO balance or Personal Holiday to cover the scheduled days of closure, he/she shall be provided sufficient work prior to the scheduled closure to prevent any loss of pay or benefits. Such time worked shall be in accordance with Article 19, Overtime.
- 14.23 Employees, including cruise employees, who are in an academic year appointment are entitled to all days designated in the campus academic calendar as academic holidays, or any other day designated by the Governor for a public fast or holiday. If the timebase is less than full-time, this provision will be applied on a pro rata basis.

Personal Holiday

- 14.24 An employee is entitled to one (1) Personal Holiday which must be taken on any day(s) during the calendar year. If the employee fails to take the Personal Holiday before the end of the year, the holiday shall be forfeited. The scheduling of the holiday shall be by mutual agreement of the employee and the appropriate administrator.

Holiday Work Compensation

- 14.25 A full-time employee who works on the day a holiday is officially observed shall be compensated at his/her overtime rate on an hour-for-hour basis for all hours worked on the holiday. Such compensation shall be in cash or CTO, as determined by the President. This provision shall apply pro rata to less than full-time employees. Employees not eligible for overtime as listed in Appendix C shall receive time off earned at the straight time rate.
- 14.26 When a holiday is observed pursuant to Provision 14.15 and an employee is not scheduled to work on the day the holiday is observed, but is required to work on the calendar date of such a holiday, he/she shall only receive holiday work compensation for time worked on the calendar date of the holiday. Such compensation shall be provided pursuant to Provision 14.25, Holiday Work Compensation, of this Article.