

Policy: Staff Vacation Leave	Policy No: I-4.9
Policy Owner(s): Human Resources	Original Date: 8/14/2014
Last Revised: 6/7/2016; 5/12/2017; 6/9/2017, 8/24/2018; <u>07/26/2024</u>	Approved Date: 8/24/18

- I. **POLICY:** John Carroll University (JCU) provides paid vacation to benefits-eligible employees to rest and rejuvenate and to maintain a healthy and productive work environment.
- II. **PURPOSE:** To outline the requirements to be eligible for vacation and explain how vacation is accrued, requested and recorded.
- III. **SCOPE:** All full-time and part-time staff employees of John Carroll University.

IV. DEFINITIONS:

~~**Exempt:** Employees paid on a salaried basis who are not eligible for overtime as defined and determined by the Fair Labor Standards Act (FLSA).~~

~~**Non-Exempt:** Employees paid on an hourly basis who are eligible for overtime as defined and determined by the Fair Labor Standards Act (FLSA).~~

Full-time, Twelve (12) Month Employee: An employee who is scheduled to work on average at least thirty-seven and one-half (37.5) hours or more per week over twelve (12) months of the year.

~~**Full-time, Eleven (11) Month Employee:** An employee who is scheduled to work on average at least thirty-seven and one-half (37.5) hours or more per week over eleven (11) months of the year or the equivalent number of hours annually.~~

Full-time, Ten (10) Month Employee: An employee who is scheduled to work on average at least thirty-seven and one-half (37.5) hours or more per week over ten (10) months of the year or the equivalent number of hours annually.

~~**Full-time, Nine (9) Month Employee:** An employee who is scheduled to work over a nine (9) month with at least an average of thirty-seven and one-half (37.5) hours or more per week or the equivalent number of hours annually.~~

Part-time Employee: An employee who is scheduled to work less than a ~~1,000 hours per year~~ full-time employee schedule (37.5 hours per week).

V. ELIGIBILITY & ACCRUALS:

~~**A.** All Full-Time Employees~~ are eligible to accrue and use a vacation allowance beginning on the first of the month following the employee’s hire date. ~~._.~~

A.

~~1. For Non-Exempt employees, vacation is accrued based on an employee's standard schedule and years of service.~~

2.B. For Exempt employees, vacation leave is accrued on a monthly basis for each full month worked and credited as earned at the end of the month.

~~B.~~

~~G. Employees who voluntarily apply for and are awarded a new position in a different exemption classification (i.e. moving from an exempt position to a non-exempt position or from a non-exempt position to an exempt position) will accrue vacation based on their continuous years of service and the accrual rate of the new position.~~

D.C. The annual vacation allowances for regular, Full-Time **Exempt** employees, regardless of the date of hire, are based on the employee's schedule and are as follows:

Regular, Full-Time Exempt Employees		
Schedule	Days per year	Days Accrued per Month
9 & 10 Month	10	.833 days
11 Month	15	1.250 days
12 Month	20	1.667 days

E.D. The annual vacation allowances for regular, Full-Time **Non-Exempt** employees ~~who are scheduled to work **twelve (12) months** annually~~ are based on years of service and are as follows:

Regular Full-Time Non-Exempt Employees working 12 months		
Years of Service	Days per year	Days Accrued Per Month
0 to 4.99 years	10	.833 days
5 years — 9.99 years	15	1.250 days
10 years and over #	20	1.667 days

F.E. The annual vacation allowances for regular, Full-Time **Non-Exempt**

~~employees who are scheduled to work **nine (9) months** or **ten (10) months** annually are based on years of service and are as follows:~~

Full-Time, Non-Exempt Employees working 9 or 10 Months Annually		
Years of Service	Days per year	Days Accrued Per Month
0 to 4.99 years	8	.667 days
5 years and over	10	.833 days

~~G.F. The annual vacation allowances for regular, Full-Time **Non-Exempt** employees who are scheduled to work **eleven (11) months** annually are based on years of service and are as follows:~~

Full-Time, Non-Exempt Employees working 11 Months Annually		
Years of Service	Days per year	Days Accrued Per Month
0 to 4.99 years	10	.833 days
5 years and over	15	1.250 days

~~H.G. **Part-Time Employees on a twelve (12) month schedule-month schedule, who are regularly scheduled to work no less than 20 hours per week:** Part-Time Employees (both Exempt and Non-Exempt) who work on a twelve (12) month per year schedule accumulate 37.5 hours of paid time off (PTO) per year that may be used for vacation, illness, or for time to attend to personal affairs for a compelling reason (e.g., school events, license renewal, car repair appointments, home maintenance emergencies, etc.).~~

- ~~1. PTO time is only available to 12-month part-time employees after the employee successfully completes the required probationary period.~~
- ~~2. PTO time accrues at the rate of 3.125 hours per month.~~
- ~~3. Any PTO accrued but not used will be paid-out at the time of employee's termination of employment with the University.~~
- ~~4. PTO time must be used within the same calendar year that it is accrued, and it does not roll over from one year to the next.~~

~~H.H. **Part-Time Employees on a less than twelve (12) month schedule, and who are regularly scheduled to work no less than 20 hours per week:** Part-Time Employees (both Exempt and Non-Exempt) who work less than a twelve (12) month per year schedule (i.e. 10-month, academic calendar only~~seasonal~~, etc.) but who are expected to work at least more than 500 hours per year~~20 hours per week and 500 hours in a year~~, may use two days~~15 hours~~ of PTO ~~(or the equivalent of 15 hours)~~ per year for vacation, illness or for time to attend to~~

personal affairs for a compelling reason (e.g. school events, license renewal, car repair appointments, home maintenance emergencies etc.).

1. PTO time accrues at the rate of 1.25 hours per month.
2. Any PTO accrued but not used will be paid-out at the time of employee's termination of employment with the University.
3. PTO time must be used within the calendar year that it is accrued, and it does not roll over from one year to the next.

J.I. Except as applicable to Part-Time Employees described in Sections **HG** and **IH** above, a maximum of five (5) unused accrued vacation days will automatically carry over from calendar year to calendar year.

1. If more than 5 unused accrued vacation days are available as of December 31 each year, those excess days will be forfeited.
2. All vacation carryover days must be used by May 31st of the following year or they will be forfeited.

3.I. Employees will receive a lump-sum payment for unused accrued vacation days upon termination of employment. Such vacation payments may be subject to reduction to account for debts owed to the University as of the termination date. Unless approved by Human Resources in advance, no terminating employee shall continue on the payroll for the purpose of exhausting unused vacation time.

K. Any employee who voluntarily or involuntarily terminates employment with the University and is subsequently rehired will begin accruing vacation at the same rate as a new employee.

L. Current regular full-time, Non-Exempt employees who were hired prior to January 1, 2003, and have since worked at the University on a continuous full-time basis in a Non-Exempt position without a break in service will continue to accrue vacation time according to the annual rate outlined in the April 1, 1993 University Staff Handbook.

M. Employees may ~~check-view~~ their vacation availability balances by logging into Banner Self-Service Employee Dashboard and selecting **Employee Services** and then selecting **Time-Off Current Balances and History**. Please note the vacation hours stated on the dashboard represent available, not necessarily accrued, time balance.

M.N. Employees who are hired after January 1 in a calendar year will have their vacation leave availability balance prorated to reflect the reduced opportunity to earn vacation time in a year.

VI. PROCEDURES:

A. On or after the first of the month following an employee's hire date, employees may request to use their accrued vacation hours with prior approval of their immediate supervisor.

B. Employees are encouraged to take their vacation within the calendar year in which it accrues for their health and well-being.

C. Supervisors have the responsibility to ensure adequate staffing to meet department and University needs and have the authority to approve or decline vacation leave requests.

1. Supervisors may limit the number of staff approved to use vacation leave on specific dates to ensure department services are fulfilled.

B-2. The amount of time that may be consecutively taken, beyond 5 consecutive days, by any individual can also be limited also limited based on staffing needs or department operations.

3. Supervisors should review and ~~approve~~ respond to vacation requests based on staffing and operational needs as soon as possible.

C-4. Supervisors can establish standard protocols within a department for staff to request time off (i.e. asking for vacation leave with a certain amount of notice to ensure coverage, requiring vacation time requests be submitted at the beginning of the year for peak periods).

5. Supervisors may designate a specific period as a "black out period" when vacation may not be taken due to operational, budgetary or scheduling needs.

D. —

E-D. Any deviations to this policy regarding vacation accruals must be reviewed by Human Resources and approved by the University President.

VII. RECORD KEEPING:

A. All vacation leave used must be accurately recorded by each employee in Banner Employee Dashboard Self-Service. Each employee's supervisor will be responsible for reviewing, approving and assuring accurate records of vacation leave time usage in Banner Self-Service.

B. Vacation leave will not accrue while an employee is in an unpaid status of 30 days or longer.

C. If a recognized holiday occurs during an employee's period of paid vacation leave, the employee will receive holiday pay for the date of the holiday, and vacation leave will not be charged for that date.

- D. If the University closes for unplanned purposes (i.e. weather, power outage, etc.) during an employee's period of scheduled paid vacation leave, the employee must still use vacation time for that closed date.
- E. Paid vacation hours shall not be counted as hours worked for the purpose of computing eligibility for overtime pay.
- F. Employees may be permitted to borrow vacation time from their expected annual accrual that has yet to be earned with approval of their direct supervisor.
 - 1. Any such advance use of vacation leave will be deducted from future vacation accruals earned by the employee.
 - 2. If the employee terminates employment prior to accruing sufficient vacation to cover the amount of vacation borrowed, the amount of wages attributed to the number of days of borrowed vacation leave used will be deducted from the employee's final paycheck, consistent with applicable law. If there are not sufficient funds in the employee's final paycheck to cover the amount of vacation borrowed, the employee will be responsible for reimbursing the University in an amount equal to the amount of vacation borrowed.
- G. Once an employee's vacation request has been approved, the employee may not change the vacation schedule without the consent of the employee's direct supervisor.
- H. Employees on an approved Family and Medical Leave Act (FMLA) leave will use sick time first. Once sick time is exhausted, vacation time and then personal time will be used to pay the employee during the FMLA leave prior to the leave being unpaid.
- I. Employees should refer to their respective department guidelines for further information regarding vacation requests.

VIII. CROSS REFERENCES:

Family & Medical Leave Act Policy
General Leaves Policy
Personal Leave Policy
Sick Leave Policy