

**9. VACATION**

**A. Accrual**

1. Every employee in a full-time regular or limited-term position shall receive vacation benefits for each pay period of continuous service according to the following schedule:

**Vacation Credit**

<b><u>Pay Periods of Continuous Service</u></b>	<b><u>Per Pay Period Continuous Service</u></b>	<b><u>Maximum Earnable Vacation Accrual</u></b>
0 through 78 pay periods	3.08 hours	160 hours
79 through 260 pay periods	4.62 hours	240 hours
Over 260 pay periods	6.16 hours	320 hours

Vacation accrual shall date from the first of the pay period following the pay period in which the employee commenced such continuous service. If such commencement date was the first working day of the pay period, vacation accrual shall start from such commencement date.

2. Every employee in a part-time regular or limited-term position shall receive vacation benefits and maximum earnable vacation accrual in the same ratio to the vacation benefits received by an employee in a full-time regular or limited-term position with like pay periods of consecutive service, as the number of hours in the part-time work schedule is to the number of hours in the full-time work schedule. The number of hours of entitlement for vacation days earned while employed as a full-time employee shall not be reduced by virtue of an employee's status being changed to part-time after such entitlements were earned as a full-time employee.
3. Absence without pay for more than sixteen (16) working hours in a pay period shall cause the pay period's service not to be counted toward earning vacation credit.
4. Vacation time taken shall not be counted as time worked for purposes of overtime computation.
5. Employees who are terminating their employment for reasons other than paid County retirement shall not use annual/vacation leave or comp time as their termination date (e.g., requesting annual/vacation leave or comp time to begin 3-7 and the actual termination date to be 3-13, etc.).

6. Employees do not become eligible to take their earned vacation until they have completed thirteen (13) pay periods of continuous service. After completion of thirteen (13) pay periods of continuous service, employees then become eligible to take vacation as it is earned. Once an employee becomes eligible to take earned vacation, ~~he/she~~ the employee may use this vacation as an extension of sick leave.
7. Each department head shall be responsible for scheduling the vacations of ~~his/her~~ the employees in such a manner as to achieve the most efficient functioning of the department and of the County service. Each department head may establish procedures for scheduling vacations. Effective with the next vacation scheduling period, procedures for scheduling vacations will be by seniority by date of rank. No person shall be permitted to work for compensation for the County in any capacity during the time of ~~his/her~~ the employee's paid vacation from County service.
8. Any ~~person~~ employee separating from County service who has not taken ~~his/her/their~~ earned vacation, if any, shall receive the hourly equivalent of ~~his/her~~ the employee's salary for each hour of earned vacation, up to the end of the last full pay period worked, based on the pay rate in effect for each person on the last day actually worked. Such payment shall be to the nearest one tenth of an hour. Employees terminating from County service prior to becoming eligible to take earned vacation shall be paid for earned (accrued) vacation. For purposes of this Section, sick leave and compensatory time off with pay shall be counted as days worked. When separation is caused by death of an employee, payment shall be made to the estate of such employee, or in applicable cases, as provided by Section 630 of the Probate Code.
9. A person receiving pay in lieu of unused vacation may not be re-employed by the County of Solano in any capacity until a number of working days equal to the number of days paid vacation has elapsed following the effective date of the separation. Nothing in this Section shall be interpreted as preventing a department head from filling a position vacated by separation immediately following the effective date of separation.
10. Prior to the beginning of each calendar year, an employee wishing to cash out up to forty (40) hours of vacation accruals, may make such a request between November 1st and by no later than December 20th of the preceding year (e.g., 2016). This election shall be irrevocable. Payment will be made before December 31 of the next calendar year. Approval of such a request will be conditional upon:

- a. the projection that the employee will reach the maximum vacation accrual based on ~~his/her~~ the employees' years of service (160/240/320 hours) during the following calendar year;
- b. the requirement for the employee to have accrued during the following calendar year (e.g., 2017), the requested number of hours to be cashed out; and
- c. the requirement that the employee has taken at least forty (40) hours of vacation during the calendar year in which the irrevocable election is made

**B.** Notice to Department Heads

In order to avoid the possibility of employees not receiving earned vacations, the County agrees to the following:

If the department head does not provide a specific time for the use of vacation leave, an employee may, as a matter of right, when the accumulated vacation to ~~his/her~~ the employee's credit reaches ~~his or her~~ their maximum earnable vacation accrual, give oral or written notice to department head and take up to eighty (80) hours.