

PERSONNEL POLICY AND PROCEDURE GUIDELINE

Hastings College of the Law

SUBJECT: VACATION (304)
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POLICY

304.1 RESPONSIBILITY

The Director of Personnel is responsible for establishing appropriate procedures to implement this policy.

304.2 PROVISIONS

Vacation credit for eligible employees is earned each month based on the percent of time or number of hours on pay status for that month at a rate determined by the length of qualifying service. Employees must be on pay status at least one-half (½) of the working hours to earn vacation credit for that month.

304.3 SCOPE

- A. Rate of Earning Vacation: Vacation credit shall be earned by an eligible employee beginning the first of the month during which the required qualifying service is completed, at the following rates:
1. At a rate of ten (10) hours per month (maximum accumulation rate of two hundred forty (240) hours) for an employee who has rendered less than ten (10) years of qualifying service;
 2. At the rate of twelve (12) hours per month (up to a maximum accumulation rate of two hundred eighty-eight (288) hours) for an employee who has rendered at least ten (10) but less than fifteen (15) years of qualifying service;
 3. At the rate of fourteen (14) hours per month (up to a maximum accumulation rate of three hundred thirty-six (336) hours) for an employee who has rendered at least fifteen (15) but less than twenty (20) years of qualifying service; and
 4. At the rate of sixteen (16) hours per month (up to a maximum accumulation rate of three hundred eighty-four (384) hours) for an employee who has rendered twenty (20) years or more of qualifying service and professional librarians.

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- B. Qualifying Service to Determine Rate of Vacation: Qualifying service to determine the rate of vacation credit shall be calculated as follows:
1. One (1) month of service at one-half ($\frac{1}{2}$) time or more is one (1) month of qualifying service;
 2. Payment for service must have been made by Hastings College of the Law, University of California, or the State of California;
 3. Time on military leave from Hastings College of the Law, University of California, or the State of California is included; and
 4. Service need not be continuous.

304.4 ELIGIBILITY

- A. Eligibility to Earn Vacation: An employee appointed at fifty percent (50%) or more of full-time is eligible to earn vacation from the date of appointment.
- B. Waiting Period to Take Vacation: Eligible employees who accrue vacation credit shall not use such vacation until completing six (6) months of continuous service.

An eligible employee who was employed from the State of California or University of California service following completion of six (6) months of State or UC service at one-half ($\frac{1}{2}$) time or more shall not serve another waiting period if the change did not involve a break in employment of more than fifteen (15) calendar days.

College service at one-half ($\frac{1}{2}$) time or more in an academic or Management Program position shall be included in determining the six (6) months waiting period to use vacation.

An eligible reemployed person who previously completed the required waiting period may use vacation credit without serving another waiting period, provided the break in service is less than six (6) months or the person is reemployed from recall or preferential rehire status.

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- C. Accrual of Vacation: An employee shall accrue full or proportionate vacation credit for a qualifying month, based on the following criteria:
1. Vacation credit shall accrue during leave with pay;
 2. Vacation credit for each month shall accrue at the end of the month, except that an eligible separating employee accrues proportionate vacation through the last day on pay status;
 3. A full-time career employee who is approved leave without pay receives full vacation credit for that month provided the employee is on pay status at least one-half (1/2) the working hours of the month;
 4. A regular status employee ceases to accrue vacation credit upon reaching an amount of vacation equal to two (2) times the employee's yearly accrual rate;

A part-time employee, on a proportionate basis, shall accrue vacation credit to the same maximum number of hours as a full-time employee with comparable years of service; and
 5. An employee is responsible for requesting vacation leave to keep their accrual levels below the stated maximums.

304.5 PROVISIONS

- A. Scheduling Vacation: Vacation leave shall be requested in advance and be scheduled at the convenience of the department and in accordance with the following:
1. Vacation leave requires advance approval by the supervisor before being taken.
 2. Vacation credit shall not be used prior to the time it is accrued, except that, upon a timely request and with supervisory approval, an employee, under special circumstances, shall be able to use vacation accrual before it is earned (i.e., religious holidays, College holiday closure).

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3. Absence for illness, disability, or personal reasons: for example, special or religious holidays may be charged to vacation.
 4. A department head is authorized to require annual vacation leave of at least five (5) consecutive days.
- B. Transfer of Vacation: An employee who is transferred, promoted, or demoted from one (1) College position or funding source to another College position or funding source shall have the vacation credit transferred.
- An employee who is transferred, promoted, or demoted to another College position in which the employee will not be eligible to accrue vacation credit shall be paid for accrued vacation.
- C. Terminal Vacation Pay: An eligible employee who separates from College employment or who is granted extended military leave shall be paid for vacation credit accrued through the employee's last day of work. The effective date of separation shall be the last day of work, except that an employee who is retiring may use vacation up to the effective date of retirement.