

ARTICLE 9
VACATIONS

9.1 Ratio for Earning Vacation

9.1.1 After six (6) months of continuous employment, employees shall be allowed vacation figured from the date of employment with the District at the rate of:

9.1.1.1 Eight (8) hours per month of employment through three years;

9.1.1.2 Ten (10) hours per month of employment from four through seven years;

9.1.1.3 Thirteen (13) hours per month of employment from eight through eleven years;

9.1.1.4 Fifteen (15) hours per month of employment from the twelfth through fourteenth years, and;

9.1.1.5 Sixteen (16) hours per month of employment beginning with the fifteen year and continuing each year thereafter.

9.1.2 Employees working part-time shall receive a pro-ration of vacation equal to their percentage of full-time employment.

9.2 Vacation Procedures

9.2.1 Employees may take vacation days only after securing advance approval from their immediate supervisor except as required in 7.2.6 and 7.14.2d. All vacation requests, including all scheduling of vacation as set forth in this Article, shall be submitted on the standardized District form prepared and authorized by the Office of Human Resources. Every attempt will be made to give the employee the vacation dates of their choosing.

9.2.2 Less than 12 Month Assignment:
Employees employed on a less-than-12-month basis will normally take all or part of their vacation period at winter and spring recess, unless their immediate supervisor schedules them otherwise. If the employee has accrued vacation days in excess of the winter/spring recess, the vacation days accrued, but not used, shall be paid at the conclusion of the fiscal year unless an exception has been granted by the Vice President of Human Resources.

9.2.3 Probationary Employees:

Probationary employees who have been with the District less than six (6) months may be required, at the discretion of their immediate supervisor, to take their vacation at winter and spring recess, even though they may be short of having earned the number of days used in those periods.

9.2.4 Persons separating from the classified service prior to the completion of the six (6) months of continuous employment shall receive no vacation credit. Those who have been allowed or required to take vacation days will have that vacation pay deducted from their final check.

9.2.5 Permanent employees shall receive payment for the unused portion of their earned vacation upon separation from the service.

9.2.6 12 Month Employees:

Twelve (12) month employees shall take their vacation within the year it is earned. In order to ensure that employees are able to use their vacation in the year in which it is earned, the following procedures will be followed in departments where there is more than one employee:

Step 1: Scheduling of Vacation: By June 1 and November 1 of each year of the contract, employees may, using the standardized form authorized by the Office of Human Resources, submit to their immediate supervisors a vacation schedule for the ensuing 12 months.

Step 2: Approval of Vacation Plan: By June 15 (for requests submitted during the June 1 window) and November 15 (for requests submitted during the November 1 window) of each year of the contract, upon receipt of a timely vacation schedule as set forth in Step 1, the immediate supervisor shall either confirm, or reject the submitted vacation plan. Requests shall be approved, provided the employee has paid vacation leave available and the requested days do not fall within block out periods established by the department. In the event that two or more employees request vacation for the same period of time and all requests cannot be accepted, the employee with the greatest district seniority shall be scheduled for vacation. Requests approved in the previous window (June or Nov.) shall not be subject to seniority bumping by requests submitted in subsequent windows. After requests in either window have been approved, all subsequent requests prior to the next window and any requested changes into an already approved vacation schedule will be handled in the order they are received. If the manager fails to respond to a vacation request by the timeline set forth above or if the request is for a change in an employee's vacation schedule and the manager fails to

respond to the vacation request within 15 days, the vacation request shall be deemed approved.

Step 3: Changes to Vacation Schedule: An employee may request a modification to his or her approved vacation plan. The District may either grant or deny the requested change. The reason(s) for the denial shall be provided to the employee in writing. The District shall grant a request for modification to mutually agreed upon dates when the vacation plans change based on events outside the control of the employee.

Step 4: Mid Year Check on Vacation Schedules: Between January 1 and February 1 of each year of this agreement, 12 month employees shall meet with their immediate supervisor to discuss their vacation plan. In the event that an employee has not scheduled all of his/her earnable vacation for the particular year, the employee and the supervisor shall mutually schedule any remaining days.

9.2.7 Carry Over of Unused Vacation Days: Earned vacation days may be carried over to be used in the next fiscal year as follows:

- a. An employee may elect to carry over up to ten (10) days of vacation provided that as of the end of a fiscal year the employee's accumulated vacation balance does not exceed ten (10) days.
- b. An employee may carry over any vacation days in a fiscal year which an employee is prohibited from taking;
- c. By mutual agreement between the District and the employee, any unused days not provided for above may be carried over into the next fiscal year for use. Any request to carry over any such unused vacation days will be submitted to the Office of Human Resources. The Vice President of Human Resources, or his or her designee, will respond to any such request within fifteen (15) working days of the receipt of a request by either approving or disapproving the request. If the Vice President of Human Resources, or his or her designee, does not respond to the request within fifteen (15) working days, it shall be deemed approved.

9.2.9 The minimum time which can be taken against vacation time is one hour of a day. Any period less than that must be treated as leave time under other provisions of this agreement.

9.2.10 Permanent employees may interrupt vacation leave in order to begin another type of paid leave such as sick leave, bereavement leave, or personal

necessity leave without a return to active service, provided they give adequate and timely notice furnishing relevant supporting verification to the employee's supervisor.

- 9.2.11 No employee shall be required to take more vacation days than were earned during the fiscal year.
- 9.3 Vacations may not be scheduled during block out days. Vacation block out days shall be based on projects and work load and shall apply to all District employees in that work unit or group. Any department that has vacation block out days shall publish a fiscal year calendar of vacation block out days by May 1 of each year.
- 9.4. Except as otherwise provided in this Article, the District shall not buy back accrued vacation time from any bargaining unit member except pursuant to a Memorandum of Understanding between the District and SMCPOA.