

**ARTICLE 42
VACATION**

A. VACATION CREDIT

1. An employee is eligible to accumulate vacation credit if appointed at fifty percent (50%) or more of full-time for a period of six (6) months or more.
2. Until a campus implements the following Factor Accrual System, current accrual practices will remain in place.
3. After a campus implements the following Factor Accrual System, an eligible employee shall earn vacation credit each month or quadri-weekly cycle based on the number of hours on pay status for that month or quadri-weekly cycle at the following rates:

Years of Qualifying Service	Per Hour on Pay Status*	Approximate Yearly Earning**	Maximum Accumulated Balance
Less than 10	.057692	15 days	240 hours
10 but less than 15	.069231	18 days	288 hours
15 but less than 20	.080769	21 days	336 hours
20 or more	.092308	24 days	384 hours

Former A& PS Vacation Schedule

Years of Qualifying Service	Per Hour on Pay Status	Approximate Yearly Earning
Less than 5	.057692	15 days
5 but less than 10	.069231	18 days
10 but less than 15	.080769	21 days
15 or more	.092308	24 days

* Hours on pay status, including paid holiday hours, but excluding all paid overtime hours.

** Full-time rate.

4. For campuses retaining the Table Accrual System, and for the Lawrence Berkeley National Laboratory, an eligible employee shall earn vacation credit each month based on the number of hours on pay status for that month at the following rates:
 - a. Ten (10) hours per month for a full-time employee with less than ten (10) years of qualifying service;
 - b. Twelve (12) hours per month for a full-time employee with at least ten (10) but less than fifteen (15) years of qualifying service;

- c. Fourteen (14) hours per month for a full-time employee with at least fifteen (15) but less than twenty (20) years of qualifying service; and
 - d. Sixteen (16) hours per month for a full-time employee with twenty (20) years or more of qualifying service.
5. A month of service at one-half (½) time or more is a month of qualifying service.
6. Employees in titles formally covered by the Administrative & Professional Staff Program (A&PS) as of June 30, 1996 (these titles are marked in Appendix A with an asterisk), shall continue to accrue vacation under the A&PS schedule until whichever event occurs first: a break in service of four (4) or more months, or transfer out of the unit. Upon return to University service after a break in service of four or more months, or to the unit from a position outside the unit, such an employee shall earn vacation in accordance with Section A.3. or 4, above.
7. An employee is eligible to earn vacation credit from her/his date of hire, prorated in accordance with the above, if appointed at fifty percent (50%) or more of full-time for a period of six (6) months or more. An employee who is not eligible to earn vacation because of a part-time or short term appointment becomes eligible to earn vacation after six (6) continuous months or quadri-weekly cycles on pay status at fifty percent (50%) time or more. Time on pay status in excess of a full-time work schedule does not earn vacation credit.
8. Earned vacation for each month or quadri-weekly cycle is credited on the first day of the following month or quadri-weekly cycle, except that proportionate vacation credit for an eligible Employee who is separating from employment shall be credited at the completion of the last day on pay status. A full-time employee on the Factor Accrual System may earn vacation credit to a maximum stated in Section A.3., above. A full-time employee on the Table Accrual System may earn vacation credit to a maximum of two times (2X) the employee's annual accumulation rate. A part-time employee may earn vacation credit to the same maximum number of hours as a full-time employee with comparable years of service.

B. VACATION SCHEDULING

1. An employee may request vacation. When vacation schedules are established, they shall be established in accordance with normal scheduling practices and in accordance with the needs of the University. Criteria used in establishing vacation schedules include, but are not limited to: the employee's skills and skill level, previous usage of the same time period by an employee in the previous year, the employee's preference for vacation dates, staffing levels, and/or the employee's length of service in a manner determined by the employing unit.
2. An approved vacation request shall not be unreasonably canceled.
3. The University will endeavor to respond to an employee's additional vacation request(s) within fifteen (15) calendar days of her/his request for use of vacation.

C. VACATION LEAVE RECORDS

1. Exempt Employees

Except as provided in Article 14, Leaves of Absence, records of vacation used shall be recorded in one (1) day increments only, or in increments of not less than that portion of a day during which an employee on less than full-time pay status is normally scheduled to work. When an exempt employee has exhausted all accrued vacation, salary shall not be reduced for absences of less than one (1) full day, or less than that portion of a day during which an employee on less than full-time pay status is normally scheduled to work.

2. Non-Exempt Employees

Records of vacation used shall be maintained to the nearest quarter ($\frac{1}{4}$) hour.

D. VACATION CREDIT USE

Vacation credit is accumulated from the date of hire. An employee may use vacation following completion of the probation period, but no vacation shall be used prior to the time it is credited, except as provided in Article 4: Campus Closure.

E. VACATION MAXIMUMS

1. Prior to the date on which an employee's vacation credit will reach the maximum allowable accumulation, the University shall provide her/him with at least ninety (90) days notification.
2. The employee shall request dates for use of the vacation at least sixty (60) days prior to the maximum accumulation. Upon request, an employee shall be granted vacation before the employee's accumulated credit reaches the maximum. If a vacation cannot be authorized due to operational considerations, the employee shall have an additional three (3) months in which to take vacation to bring her/his accrual below the maximum. During the extension, vacation shall continue to accrue.

F. VACATION PAY

1. Pay for accumulated vacation shall be at the employee's straight-time rate including any shift differential for employees permanently assigned to off-shift.
2. An employee who separates from employment or who is granted extended military leave shall be paid for any accumulated vacation through the employee's last day of work, except that an employee who is retiring may use accumulated vacation up to the effective date of retirement.

G. TRANSFER OF VACATION CREDIT

An employee who is transferred, promoted, or demoted to another position at a University medical center or campus in which vacation credit can be accumulated shall have any accumulated vacation credit transferred. An employee who is transferred,

promoted, or demoted to a position at a University medical center or campus in which vacation credit does not accumulate shall be paid for any accumulated vacation at the time of transfer. An employee who is transferred, promoted, or demoted to or from a Lawrence Berkeley Laboratory position shall be paid for any accumulated vacation at the time of transfer.

H. DONATIONS FOR CATASTROPHIC LEAVE

Any HX Unit employee may participate in a campus/hospital/laboratory's Catastrophic Illness/Injury Leave program, if any, in accordance with the provisions of that location's program.