



CITY OF KINSTON

Personnel Policy

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| Subject: Vacation Leave | Section: Holiday/Leave/Longevity | | Review Responsibility: Director of Human Resources | | |
| | Policy #:: 5 | Effective Date: 8/01/2016 | Rev. #: 2 | Revision Date: 7/31/2016 | Page: 1 of 4 |
| | Supersedes: 11/1/2010 | Prepared By: Gloria Blake <i>Gloria Blake</i> | Approved By: Tony Sears <i>Tony Sears</i> | | |

1.0 Purpose

To establish guidelines for accruing and using vacation leave.

2.0 Organizations Affected

All City employees in all departments who accrue vacation leave

3.0 Policy

The City of Kinston provides annual leave for the purpose of allowing employees covered by this policy to renew their physical and mental capabilities and to remain a fully productive employee.

4.0 Definitions

4.1 Vacation Leave – Compensated time away from work which is requested by the employee and approved by the appropriate supervisor. Vacation Leave is a benefit provided by the City for the employee and is not considered a right of the employee.

4.2 Pay Status – Working or on approved leave.

5.0 Responsibility

5.1 All supervisors are responsible for monitoring leave requests for the purpose of providing the employee time off when requested, if feasible and when the time off does not affect minimum staffing or safe and efficient operations.

6.0 Procedure

6.1 Vacation Leave Credits

6.1.1 Vacation leave is credited to employees who are in pay-status for one-half or more of the regularly scheduled workdays and holidays in the pay period in accordance with the provisions outlined herein.

6.1.2 The amount of time granted for full-time regular, probationary, trainee, or time-limited employee is based on the length of total city service as shown in section 6.2.

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- 6.1.3 The amount of time granted for part-time (half time or more) regular, probationary, trainee, or limited-time employee is based on the total City service and prorated by percentage of full-time.
- 6.1.4 No time is granted for temporary part-time or temporary full-time employees.

6.2 Leave Credit

- 6.2.1 Days credited each year for employees are based on years of service and is credited as follows:
 - Less than two years 10 days
 - 2 years but less than 5 years 12 days
 - 5 years but less than 10 years 15 days
 - 10 years but less than 15 years 18 days
 - 15 or more 21 days

6.3 Total City Service

- 6.3.1 A full month of credit is given for total City service if a full-time or part-time (1/2 time or more) employee with a status of regular, probationary, trainee, or limited-time is in pay status for one-half or more of the regularly scheduled workdays and holidays in the pay period or on authorized leave.

6.4 Use of Vacation Leave

- 6.4.1 Vacation Leave may be used for vacation; other periods of absence for personal reasons; adverse weather conditions; personal illness (in lieu of sick leave); illness in the immediate family; donation to an employee who is an Voluntary Shared Leave recipient; and time lost for late reporting (however, deduction from the employee's pay should be made where excessive tardiness or absenteeism occurs).

6.5 Scheduling Leave

- 6.5.1 Vacation Leave shall only be taken upon authorization of the City Manager or his/her designee.
- 6.5.2 If an employee has compensatory time, it shall be taken before Vacation Leave.
- 6.5.3 Hours worked in excess of the employee's established work schedule can be used to offset leave reported in the same workweek. Leave will be restored to the employee's balance for later use.

6.6 Accumulation of Vacation Leave

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6.6.1 Vacation Leave may be accumulated without an applicable maximum until December 31st of each year. However, if the employee separates from service, payments for accumulated leave shall not exceed 240 hours.

6.6.2 At the end of the first full pay period in January of each year, any employee with more than 240 hours of accumulated leave shall have the excess converted to sick leave so that only 240 hours are carried forward to the next calendar year.

6.6.3 Accumulated leave for part-time employees shall be prorated.

6.7 Leave Charge

6.7.1 When used, Annual Leave shall be charged in 15 minute units of time.

6.8 Continued Benefits

6.8.1 When exhausting Annual Leave, the employee continues to accumulate leave, is eligible to take Sick Leave, is entitled to holidays, and is eligible for salary increases during that period.

6.9 Pay for Accumulated Leave Upon Separation

6.9.1 A lump sum for leave is made only at the time of separation and will be made on the regular payroll reflecting the number of hours of leave and the amount of the payment.

6.9.2 When the separation is due to the employee's resignation, dismissal, or death, the accumulated Vacation Leave shall be paid in a lump sum not to exceed 240 hours (prorated for part-time). Then the employee ceases to accumulate leave, is no longer eligible to take sick leave, and is no longer entitled to holidays except as defined in section 6.9.4. The date of separation is the last day of work except as defined in section 6.9.5.

6.9.3 When the separation is due to the employee's retirement, early retirement, or reduction in workforce, the accumulated Vacation Leave may be exhausted if the employee elects to do so and is approved by the City Manager or his/her designee. The employee accrues benefits while exhausting leave. The date of separation is the last day of leave as defined in section 6.9.6.

6.9.4 When the last day of the pay period is a holiday, and the employee is in pay status through the last available workday, the employee shall also receive pay for the holiday.

6.9.5 If an employee is exhausting approved sick/vacation leave for medical reasons, and resigns or dies before returning to work, the separation date shall be the date the employee resigns or dies. This is subject to the approval of the City's Human Resources Director.

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6.9.6 By way of example, an employee retiring or being reduced in force effective January 1st could establish the last day of work as December 17th, then exhaust 80 hours of leave through the end of December and receive a lump sum of the unpaid balance up to 240 hours. The date of separation would be December 31st.

6.10 Options During Leave Without Pay

6.10.1 An employee on approved leave without pay may exhaust Vacation Leave or may retain part or all accumulated leave except for the following: When an employee requests leave for vacation purposes, all accumulated vacation shall be exhausted before going on leave without pay or when an employee requests leave for other personal reasons for a period not to exceed 10 workdays, leave shall be used if available. However, if the leave is for a period longer than 10 workdays, the employee may choose to use Vacation Leave or retain it for future use.

6.10.2 Options for use of Vacation Leave under the Worker's Compensation Document, Family and Medical Leave Document and Military Document are included in these respective policies.

6.11 Retirement Contributions

6.11.1 Retirement deductions shall be made from all leave payments.

6.12 Payments to Estates

6.12.1 In the case of a deceased employee, payment for unpaid salary, leave and travel must be made, upon establishment of a valid claim, to the deceased employee's administrator or executor. In the absence of an administrator or executor, payment must be made to the Clerk of Superior Court of the county of the deceased employee's residence.

6.13 Leave Records

6.13.1 It is the responsibility of the Human Resources Director or his/her designee to maintain available balance for each employee via the computer system.

6.13.2 The Human Resources Department will retain leave records for all separated employees for a period of at least five years from the date of separation.