

**ARTICLE 40
 VACATION**

A. VACATION ACCRUALS/CREDIT

1. Using the following Factor Accrual System, an eligible firefighter shall earn vacation credit each quadriweekly cycle based on the number of hours on pay status for that quadriweekly at the following rates:

YEARS OF QUALIFYING SERVICE	PER HOUR ON PAY STATUS*	MAXIMUM ACCUMULATED BALANCE
Less than 10	.057692	336 hours
10 but less than 15	.070055	408 hours
15 but less than 20	.082418	480 hours
20 or more	.090659	528 hours

* Hours on pay status excludes all paid overtime hours.

2. Accrued vacation leave is credited and available for use on the next pay day following each quadriweekly pay 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.
3. An eligible employee in a Fire Fighter title working a fifty-six (56) hour workweek shall earn vacation credit in accordance with the table in Section A.1, above. Use of vacation will be deducted based on the actual scheduled hours not worked.

B. ELIGIBILITY

1. An employee is eligible to earn vacation credit from her/his date of hire, pro-rated in accordance with Section A, 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 on pay status at fifty percent (50%) time or more. For the purposes of this Article, qualifying service is service at one-half (½) time or more in a quadriweekly pay cycle.
2. An employee does not earn vacation credit for time on pay status in excess of a full time work schedule.

C. VACATION SCHEDULING

1. An employee may request vacation.
2. The University has the sole discretion to approve or disapprove vacation requests. Vacation requests shall not be unreasonably denied. An approved vacation request shall not be unreasonably canceled.

3. Vacation leave requested by an employee will be scheduled in accordance with the University's operational needs and departmental procedures. Departmental procedures, which restrict an employee's ability to schedule vacation, shall be based on operational needs.

D. VACATION CREDIT USE

No vacation shall be used prior to the time it has accrued, except as provided in Article 5 - Campus Closure.

E. VACATION MAXIMUMS

1. A full time employee shall not accrue vacation in excess of the maximum of two (2) times the employee's annual accumulation. A part-time employee shall accrue vacation to a pro-rated maximum number of hours as a full time employee with comparable years of service.
2. Sixty (60) days prior to an employee accruing the maximum amount of vacation, s/he shall be given notice that the maximum accrual will be reached. The employee must request the scheduling of vacation prior to her/his reaching the maximum accrual. If the employee's request to use such accrued vacation is denied due to operational considerations, that employee shall have an additional four (4) months within which s/he must take the vacation to bring her/his vacation accruals below the maximum. Notwithstanding Section E.1, normal vacation shall continue to accrue during the additional four (4) month period.

F. VACATION PAY

1. Pay for accumulated vacation shall be at the employee's straight-time rate.
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.
3. An employee released during her/his probationary period shall be paid for accrued vacation time.

G. TRANSFER OF VACATION CREDIT

An employee who is transferred, promoted, or demoted to another position at a University campus in which vacation credit can be accumulated shall have any accumulated vacation credit transferred, unless such transfer is in conflict with the terms covering the new position. An employee who is transferred, promoted, or demoted to a position at a 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 bargaining unit employee may participate in a campus' Catastrophic Illness/Injury Leave program, if any, in accordance with the provisions of that location's program.