

**ARTICLE 35
VACATION LEAVE**

A. ELIGIBILITY FOR VACATION LEAVE

1. The University provides vacation benefits to employees holding career, limited, or floater appointments with a full-time equivalent (FTE) of fifty percent (50%) or more for a period of six (6) continuous months or longer.
2. An employee does not earn vacation credit for time on pay status in excess of a full-time work schedule.
3. An eligible employee whose FTE is reduced below fifty percent (50%) will no longer accrue vacation leave.

B. ACCRUAL OF VACATION LEAVE

1. Eligible employees begin to accrue vacation leave from the first day of their appointment.
2. An employee accrues vacation leave based on FTE, years of qualifying service, and hours on pay status at the rates specified below. A month on pay status at one-half time or more is counted as a month of qualifying service, and a quadriweekly cycle on pay status at one-half time or more is counted as a quadriweekly cycle of qualifying service.
3. Eligible employees appointed at less than full-time status accrue vacation leave on a pro-rata basis. If an employee's FTE is fifty percent (50%) or more for six (6) or more months but actual time worked is less than fifty percent (50%), the employee will accrue vacation in proportion to the time worked.
4. Vacation credits are based on hours on pay status, including paid holidays. Overtime hours are excluded when calculating vacation leave accrual.
5. Accrued vacation leave is credited and available for use on the next working day following each month or quadriweekly pay cycle, except that eligible separating employees earn proportional vacation leave through their last day on pay status.
6. Accrual rates for employees (full-time status) shall be in accordance with the table below:

Years of Qualifying Service	Vacation Days Accrued Per Month/ Year (Approx.)**	Vacation Accrual Factor (Per Hour on Pay Status)	Maximum Vacation Hours
Less than 10	1.25 days per month 15 days per year	.057692	240
10 but less than 15	1.50 days per month 18 days per year	.069231	288

Years of Qualifying Service	Vacation Days Accrued Per Month/ Year (Approx.)**	Vacation Accrual Factor (Per Hour on Pay Status)	Maximum Vacation Hours
15 but less than 20	1.75 days per month 21 days per year	.080769	336
20 or more	2.00 days per month 24 days per year	.092308	384

**Full time rate.

7. Maximum Accrual Limit – A full-time employee shall not accrue vacation in excess of the maximum of two (2) times the employee's annual accrual. 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.
 - a. Once an employee reaches the maximum accrual, no additional vacation leave may be accrued until the employee's vacation leave balance falls below the maximum.
 - b. However, if an employee cannot schedule vacation within sixty (60) working days of reaching the maximum accrual limit due to operational considerations, the University will provide the employee an additional four (4) months within which to take vacation leave in order to bring the employee's accrual below the maximum. The employee continues to accrue vacation leave during these additional four (4) months.

C. USE OF ACCRUED VACATION LEAVE

1. An employee may not use vacation leave before it is accrued, except as authorized by the University during a curtailment leave, as outlined in Section D below.
2. An employee may request vacation.
 - a. Accrued vacation shall be approved or denied by the designated University official.
 - b. Vacation requests shall not be unreasonably denied.
 - c. An approved vacation request shall not be unreasonably canceled.
 - d. Upon request of the employee, the reason for denial of a vacation request shall be provided in writing.
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.

4. Employees separating from University employment may not use vacation leave on or after their last day of work, except that an employee who is retiring may use accrued vacation up to the effective date of retirement.

D. CURTAILMENT PERIOD

1. Curtailment for the purpose of this Article refers to periods when the University curtails or shuts down all or some of its activities, on a location-by-location basis, for periods of specific duration. By way of example and not limitation, such periods may represent opportunities for energy/cost savings and/or adjustments to reduce levels of work activity due to transition periods in the academic calendar and/or “seasonal” or “holiday” influences on scheduled work activities and/or the occurrence at or on University facilities of major public events and/or the occurrence of emergency or “forces of nature” situations adversely affecting normal University operations.
2. In the event of such total or partial closure or curtailment of operations, whether or not the University is able to anticipate such event, employees affected shall select one or a combination of the following options to cover their status during such period of time:
 - a. Employees may use accrued vacation leave during the period. Employees without sufficient accrued vacation would be allowed to use up to three (3) days’ vacation leave prior to actual accrual.
 - b. Employees who do not wish to use vacation may elect to take a leave without pay during the closure. Notwithstanding the provisions of Section B above, if an employee is in leave-without-pay status due to a location closure which is three (3) consecutive days or less in duration, such a full-time or part-time employee shall not lose hourly vacation accruals.
3. Employees who do not select from Section D.2.a or D.2.b above or who do not qualify for Section D.2.a, or D.2.b above shall, for the period of time necessary, be placed in a leave-without-pay status. The hourly accrual provisions in Section D.2.b. above related to location closure(s) shall also apply to employees who are placed in leave-without-pay status.
4. With the exception of Winter Curtailment and with supervisor approval, employees in this unit who have a remote work/telework arrangement in place and who have meaningful work may work remotely during the curtailment period on days that would otherwise require the utilization of either vacation pay or leave without pay.
5. Nothing in this provision is intended to limit a location’s discretion to allow remote or in-person work during curtailment consistent with operational needs.

E. VACATION LEAVE ACCRUAL DURING LEAVES OF ABSENCE

1. An employee continues to accrue vacation leave while on pay status. However, employees do not accrue vacation leave during any unpaid leave of absence, except for the first three (3) days of unpaid curtailment leave.

2. An employee on leave without pay and receiving temporary disability payments under the California Workers' Compensation Act accrues vacation leave on the same basis as if actually working, but accrued leave is credited to the employee only upon return to work.

F. VACATION LEAVE PAY

1. Pay during a vacation leave is at the employee's straight-time rate of pay in effect at the time the leave is taken, not the straight-time rate of pay in effect when the vacation leave was accrued.
2. An employee will be paid for any unused vacation leave accrued through their last day on pay status upon:
 - a. Separation of employment from the University (resignation, termination, retirement, indefinite layoff or medical separation),
 - b. Transfer, promotion, or demotion to a University position or location that does not accrue vacation leave.
3. An employee granted unpaid extended military leave is eligible for accrued vacation pay according to the provisions of Article 14 – Leaves of Absence.
4. Payment for unused vacation leave upon separation will be at the employee's straight-time rate of pay in effect as of the employee's last day on pay status. Payment of accrued vacation leave upon transfer, promotion or demotion to a position that does not accrue vacation leave will be based at the employee's straight-time rate of pay in effect at the time of the transfer, promotion, or demotion.
5. An employee who dies shall have any accumulated vacation credit paid to the employee in accordance with University policy.

G. AVAILABILITY OF ACCRUED VACATION LEAVE UPON CHANGE IN POSITION

Unless a conflict exists with the terms governing the new position, and except as provided in Section F, any unused accrued vacation leave will remain available when an employee changes positions within the University, with no break in service. The rate of pay for such vacation leave will be at the employee's straight-time rate of pay in effect at the time the leave is taken.

H. RECORDING VACATION LEAVE ACCRUAL AND USE

1. Employees are responsible for entering any vacation leave taken as follows:
 - a. Non-Exempt Employees: The employee will record vacation leave used to the nearest quarter hour.
 - b. Exempt Employees: The employee will record vacation leave used in full day increments, or in increments not less than that portion of the day during which an employee on less than full-time pay status is normally scheduled to work. If an exempt employee has exhausted all accrued vacation leave, absences of less than one (1) full

day will not be deducted from the employee's salary. The foregoing does not apply when an employee is taking FML on an intermittent or reduced schedule basis. See Article 14 – Leaves of Absence.

I. CATASTROPHIC LEAVE DONATION PROGRAM

An employee may participate in a location's Catastrophic Leave Donation program, if any, in accordance with the provisions of that location's program.

J. FLOATING HOLIDAY

1. Non-probationary career employees in the unit shall be entitled to one (1) floating holiday per calendar year. The floating holiday must be used within the calendar year in which it is granted and shall not carry over to the following year. The floating holiday has no cash value, and an unused floating holiday remaining at the end of the calendar year shall be forfeited.
2. Use of the floating holiday shall be consistent with Section C.2–4.
3. The floating holiday may only be used on a day the employee is scheduled to work, or during curtailment. The floating holiday may not be used to increase an employee's regularly scheduled hours, provide pay on a non-scheduled workday, or result in overtime pay.
4. Compensation for Floating Holiday

An eligible full-time employee shall receive eight (8) hours of floating holiday time, regardless of their work schedule. An eligible part-time employee shall receive proportionate holiday pay as set forth in Section C.2.c of Article 09 – Holidays. Eligibility for floating holidays is set forth in Section D of Article 09 – Holidays.