



City of Waukesha HR Policy

C2 Vacation Leave

I. Purpose

Vacation leave is intended not only to reward an employee for service to the City but also to provide employees with a break from their normal work routine so that they may become refreshed and recharged before returning to work again. Therefore, pay in lieu of time off is not permitted.

II. Summary

The policy of the City is that each eligible employee should take a period of time away from work to do whatever they choose, at least once a year. Annual leave will not be accumulated beyond the amounts authorized in this policy.

III. Definitions

- A. Week:** Five (5) workdays or seven (7) consecutive calendar days.
- B. Day:** Eight (8) regularly scheduled work hours. Twenty-four (24) regularly scheduled work hours for non-union Fire Department personnel.
- C. Pay Calculation:** The employee's current daily base salary times the number of eligible paid vacation leave days each year and ends December 31 of the same year.

IV. Guidelines

- A.** All regular full-time and regular part-time (prorated benefits) employees, excluding all provisional employees (employment is of a casual nature and/or on a nonrecurring, or seasonal basis), are eligible to receive vacation. Time lost due to illness or injury paid under worker's compensation guidelines shall be considered as credit for service.
- B.** Employees are encouraged to take a vacation leave consisting of at least five (5) consecutive workdays during each new year of employment.
- C.** Vacation leave time continues to accumulate while an employee is on regularly scheduled vacation leave, paid sick leave, paid military leave, or paid temporary disability (for a period of four (4) months or less). However, an employee on a leave of absence for a time that is in excess of a paid benefit is considered on inactive status and not eligible to accrue vacation leave benefits during such absence.
- D.** Vacation leaves may not be taken in advance of being accumulated.
- E.** Should the City determine that the termination of an employee is due to serious misconduct, accrued vacation leave will not be paid.
- F.** ~~This policy does not apply to Police and Fire Department employees covered by a labor agreement.~~ The provisions of the collective bargaining agreements governing police and fire

personnel shall prevail over any conflicting policy language. In matters where the union contracts are silent, the applicable City policies shall serve as the governing standard.

V. Authorized Vacation Leave Schedule

- A. Employees will begin accumulating paid vacation leave upon the start of their employment at the rate of 10 hours per month (15 days per calendar year). This will equate to 18 hours per month for 24-hour fire department positions. Effective January 1, 2020, this rate of accumulation will continue through the third (3rd) year of continuous service. Thereafter, paid vacation leave will accrue at the following monthly rate:

<u>Years of Continuous Service</u>	<u>Paid Annual Leave Monthly as of January</u>	
	<u>8 hr. Personnel</u>	<u>24 hr. Fire Dept</u>
After three (3) years' service	10.67 hours	19.2 hours
After six (6) years' service	12 hours	21.6 hours
After nine (9) years' service	13.33 hours	24 hours
After twelve (12) years' service	14 hours	25.2 hours
After fifteen (15) years' service	14.67 hours	26.4 hours
After eighteen (18) years' service	15.33 hours	27.6 hours
After twenty (20) years' service	16 hours	28.8 hours
After twenty-one (21) years' service	16.67 hours	30 hours
After twenty-two (22) years' service	17.33 hours	31.2 hours
After twenty-three (23) years' service	18 hours	32 hours

- B. Monthly accrual rates are automatically updated in the time and attendance system each January 1st based on the year in which the employee's anniversary date falls. If you do not move up to the next tier in years of service, there will be no adjustment to your monthly accrual rate in that year.
- C. Without regard to calendar year, employees may, at any given time, accumulate up to one and one-half (1½) times their vacation leave entitlement. Vacation leave will not accumulate for any month in which the maximum accumulation has been reached.

VI. Scheduling Leave

- A. Vacation Leave may be taken at any time during the calendar year. Vacation leave is scheduled to give as much consideration as possible to the request of individual employees but at the same time avoid undue interference with the effective performance of City work and schedules. Under normal conditions, subject to the approval of employee's immediate supervisor, leaves may be taken anytime between January 1 and December 31. No vacation leave will be taken without prior supervisory authorization.
- B. Department Directors or supervisors might deny individual vacation leave requests during peak-work load periods. Individual departments have the right to restrict vacation leave scheduling based on the operational needs of their department.
- C. All vacation leave requests must be made to the department director or his/her designee. Each department director will determine the process for requesting and scheduling vacation leave requests within their departments subject to approval by the Human Resources Director. Departments are encouraged to utilize seniority for purposes of vacation leave selection whenever practicable.

VII. Holidays During Annual Leave

- A. Only actual working days are counted as vacation leave. Authorized legal and other holidays, or Saturdays and Sundays, are not counted as vacation leave time.

VIII. Conversion of Part-Time Service to Full-Time Credit

- A. Temporary and intermittent part-time employees are not eligible for benefits under the vacation leave program. Those employees who work regular part-time schedules and have a leave program will accrue benefits in accordance with the details of such program.
- B. An individual's actual hours worked on a regular part-time status would be totaled and multiplied by the years of service, then divided by 2080 hours to arrive at an amount which equals the converted service credit years. (The final figure would be rounded to the nearest whole number.)

EXAMPLES:

- (1) 30 hours/week for 9 years = $(30 \times 52 \times 9) / 2080 = 7$ years
- (2) 25 hours/week for 7 years = $(25 \times 52 \times 7) / 2080 = 4$ years
- (3) 20 hours/week for 5 years = $(20 \times 52 \times 5) / 2080 = 3$ years

IX. Payment of Accrued Vacation Leave

- A. **LUMP SUM UPON TERMINATION:** Where applicable, an eligible employee who is terminating their employment, will receive a lump sum payment for vacation leave earned to the date of termination.
- B. **BENEFITS RUNOUT:** ~~Vacation leave runouts are only allowed for retirees. Employee is not required to return to work for their last day of leave. Other~~ Employees who terminate their employment will receive a lump sum payment for accrued, unused vacation (and personal holidays if requested in Kronos).

(From C4 Benefits Election at Retirement Policy): Where applicable, an eligible retiree will receive a lump sum payment for vacation leave earned to the date of termination. Retirees may also choose to let their accrued, unused vacation leave runout following their last day of employment. In this case, the retiree would not be required to return to work on their last day of leave. Vacation leave runouts are only allowed for retirees.

Effective January 1, 2027, vacation leave runout is only for a maximum of three weeks of time. If a retiree has more than three weeks of accrued vacation the remaining vacation will be paid out as a lump sum payment on the last check.

- C. **EMPLOYEE DEATH:** Whenever an employee of the City dies during the term of his/her employment with the City, the surviving spouse or designated beneficiary will receive a lump sum payment for vacation leave the employee accrued but did not use to the date of death.
- D. **ACCRUAL CALCULATION:** Employee must be in paid status on the 1st of the month in order to accrue monthly vacation increment.

X. Use of Vacation Time During Notice Period

- A. Once an employee provides notice of resignation or retirement, the use of vacation during the notice period is typically not permitted unless advance written approval was obtained from

management. Any such approval is granted at management's sole discretion and may be denied based on operational and business needs.

B. The City reserves the right to:

- 1.** Require an employee to remain actively at work for the entirety of the notice period;
- 2.** Deny or rescind previously scheduled time off during the notice period;
- 3.** Modify the employee's last day of work or pay in lieu of notice

Passed by the Council this **X** day of **MONTH, 202X**.

Mayor

ATTEST:

City Clerk