



**NUMBER: 60.2**

**POLICY TITLE: Vacation Leave**

**APPROVED BY: Kentucky State University Board of Regents (December 3, 2020)**

**EFFECTIVE DATE: March 1, 2021**

**REVISED FROM: March 26, 2013**

### **PURPOSE:**

Annual periods of time away from the workplace contribute to the health and well-being of all employees. This policy provides for paid time away from work.

### **APPLICABILITY:**

Vacation leave accrual begins upon hire and is available for use after the employee successfully completes his/her ninety (90) days probationary period. Vacation leave with pay is earned by all regular full-time employees. (Note: Although generally recognized as “faculty”, twelve (12) month academic department heads earn vacation leave due to the respective administrative appointments; leave is not earned by academic department heads whose appointments are for periods of less than twelve months.)

### **POLICY STATEMENT:**

Vacation leave may be used for vacations, personal business, or for any other personal reason. Leave may only be taken at times agreed upon by the employee and his/her supervisor/department head and must be approved in advance. Vacation leave may be denied, when in the opinion of the supervisor/department head, the employee’s absence would unduly affect the efficient functioning of the unit. The approval of vacation leave may not be arbitrarily withheld or withheld without justifiable cause. A supervisor/department head may specify that vacation leave only be taken based on departmental needs and schedules.

The responsibility for administering this policy is delegated to each department supervisor/department head based on departmental records and determinations complying with the requirements of this policy.

Leave time should be approved by the employee’s supervisor and reported through ADP Workforce NOW.

Eligible full-time employees receive annual leave as a university work benefit. Part-time and temporary employees do not accrue annual leave. Employee’s length of service will determine the amount of annual leave earned in a fiscal year.

<b>YEARS OF SERVICE</b>	<b>LEAVE ACCRUED ANNUALLY</b>
0-5 years	15 days; 1.25 per month
6-14 years	20 days; 1.67 per month
15 years or more	25 days; 2.09 per month

For Employees who work 37.5 hour weeks, annual leave may carry forward from one fiscal year to the next at the following rates:

YEARS OF SERVICE	MAXIMUM TO CARRY FORWARD
0-5 years	35 working days; 262.50 hours
6-14 years	35 working days; 262.50 hours
15 years or more	40 working days; 300 hours

For Employees who work 40 hour weeks, annual leave may carry forward from one fiscal year to the next at the following rates:

YEARS OF SERVICE	MAXIMUM TO CARRY FORWARD
0-5 years	35 working days; 280 hours
6-14 years	35 working days; 280 hours
15 years or more	40 working days; 320 hours

**Leave in excess of the above maximum amounts shall be converted to sick leave at the end of the fiscal year.**

## RELATED PROCEDURES:

### A. Scheduling/Utilization of Vacation Leave

1. Exempt employees (paid monthly) - Vacation leave is earned on the 15th calendar day of each month. Employees who are hired on or before the 15th shall receive an accrual for that month. Employees who terminate employment prior to the 15th shall not accrue vacation leave for that month. Employees who are in an unpaid leave of absence status as of the 15th do not earn vacation leave for that month. For purposes of this policy, a leave of absence is defined as an unpaid period lasting 15 or more working days and inclusive of the 15th.
2. Nonexempt employees (paid bi-weekly) - Vacation leave is earned on the 8th and the 23rd of the each month. Vacation leave is accrued based on the employee's actual hours worked, years of service and paid status. Accrual rates will be based on no more than 80 hours per pay period.
3. Available vacation leave shall be taken only after it has been accrued and in increments of no less than .25 hours when approved.
4. Employees on vacation leave who become ill or injured while on vacation may substitute sick leave during the period of temporary disability upon providing written certification of a physician. The employee shall be responsible for obtaining the physician's certification and requesting the substituted time through the supervisor by the end of the pay period in which the absence occurred. The employee shall make any necessary corrections on his/her time sheet/absence record and obtain appropriate signatures in order to complete substitution of make any necessary corrections on their timesheet/absence record in the current payroll system.
5. Employees are charged with vacation leave only for days which they would otherwise work and receive pay. Should a University holiday be observed on one of the employee's regularly scheduled workdays while he/she is on vacation, he/she will not be charged vacation leave for the holiday.
6. Employees who transfer or otherwise change from one University department to another shall retain his/her accrued vacation leave in the new department.

7. Employees who retreat to a non-covered position (for example, a retreat from an administrative position to a nine-month faculty position) shall be paid any accumulated vacation not to exceed one year's accrual of their annual vacation leave allowance.
8. Accumulated vacation leave may be used for an employee's own illness in cases where the employee has no medical leave balance. In such instances, the requirement for advance approval of vacation leave shall be waived.
9. All employees are required to resume work on the scheduled day of return from vacation leave. Late resumption of work without notification and prior approval by the department head will be regarded as an unexcused absence from work without pay and may be the subject of disciplinary action, up to and including dismissal.

## **B. Accrued Vacation Leave upon Separation of Employment**

1. Accrued vacation on record at the time of resignation will be granted or paid out only to an employee who has continuous employment of at least six months and who gives at least two weeks' notice of his/her intent to resign.
2. An employee who gives two weeks notification of his/her intent to resign cannot use accrued vacation in meeting this notification period without proper approval from the Director of Human Resources. The date of termination/separation is the last day the employee actually works. An exception to this rule is applicable for individuals who are on certified medical leave immediately prior to separation of employment. All payments for accumulated vacation leave shall be paid in lump sum, not to exceed one year's accrual of their annual vacation leave allowance on the employee's last payroll check (or the next available payroll check if payroll cycle has closed).
3. Employees shall receive terminal vacation pay in the amount equal to their current balance of vacation leave earned as of their date of separation, not to exceed one year's accrual of their annual vacation leave allowance.
4. In addition, no paid vacation leave is accrued in the final month of employment when termination occurs on or before the 15th day of the month.
5. Employees who are laid off or terminated involuntarily due to reductions in work force for reasons beyond his/her control will be given credit for prior years of continuous service upon re-employment.
6. Employees who terminate employment and who are reemployed within one (1) calendar year shall receive his/her prior continuous service credit with the institution for vacation leave accrual purposes.
7. Applicable terminal vacation pay will be paid in the event of the death of an eligible faculty/staff employee, not to exceed one year's accrual of their annual vacation leave allowance.

All employees are required to resume work on their scheduled day of return from vacation leave. Late resumption of work without notification and prior approval by the department head will be regarded as an unexcused absence from work without pay and may be the subject of disciplinary action, up to and including dismissal.

## **RELATED POLICIES/FORMS:**

N/A

**CONTACT: Office of Human Resources | Office-502-597-6667 | Email: [human.resources@kysu.edu](mailto:human.resources@kysu.edu)**