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PM

**UNIT G
NEW ARTICLE**

VACATION

1.0 An employee shall earn vacation for active service in a regular assignment or in an assignment in the same or another class in lieu of the employee's regular assignment in accordance with Section 1.1. Active service means all of the time for which pay is received, excluding overtime.

1.1 Accrual of vacation shall be determined based on the factors and in the manner set forth in the following table:

<u>Employee's Years of Service</u>	<u>Vacation Accrual Factor Based on 40 Hour Workweek</u>		<u>Employee's Hours of Paid Status</u>	<u>Employee's Hours of Accrued Vacation</u>
Less than 4 years	.03846			
4 or more years but less than 15	.05770			
15 years but less than 16	.06155	X		
16 years but less than 17	.06539	=	Exclusive of Overtime	
17 years but less than 18	.06923			
18 years but less than 19	.07308			
19 years but less than 20	.07693			
20 years but less than 21	.08077			
21 years but less than 22	.08462			
22 years but less than 23	.08846			
23 years or more	.09232			

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For example, a full-time twelve (12) month employee will accrue vacation annually as follows:

<u>1 through 4 years</u>	<u>10 days</u>
<u>5 through 15 years</u>	<u>15 days</u>
<u>16 years</u>	<u>16 days</u>
<u>17 years</u>	<u>17 days</u>
<u>18 years</u>	<u>18 days</u>
<u>19 years</u>	<u>19 days</u>
<u>20 years.....</u>	<u>20 days</u>
<u>21 years.....</u>	<u>21 days</u>
<u>22 years.....</u>	<u>22 days</u>
<u>23 years.....</u>	<u>23 days</u>
<u>24 years.....</u>	<u>24 days</u>

1.2 The vacation accrual factor for employees assigned a regular workweek of less than forty (40) hours during the first four (4) years of service shall be:

<u>37.5 hours but less than 40 hours</u>	<u>.04087</u>
<u>35 hours but less than 37.5</u>	<u>.04379</u>
<u>less than 35 hours</u>	<u>.03846</u>

During subsequent years of service vacation accrual shall be at the rate of the forty (40) hour workweek above.

1.3 A "year of service" for the purpose of this Article shall be defined as paid service in regular status for 130 days or more within the fiscal year, including time served in probationary or permanent certificated service; however, total assignment hours annually shall not exceed 2080 hours for years of service credit.

1.4 No employee shall be permitted to accrue vacation in an amount greater than that which the employee earns in 18 pay periods (the employee's "vacation cap amount"). Once the employee has accrued vacation in an amount equal to the employee's vacation cap amount, the employee shall cease to accrue vacation until the employee uses vacation in an amount sufficient to reduce the employee's accumulated vacation balance below the employee's vacation cap amount.

1.5 Consistent with the 18 pay period vacation cap amount set forth in 1.4 above, the following procedure for scheduling of vacation time shall be in effect:

a. Step One: By March 15 of each school year, administrators shall issue an annual vacation calendar for the next school year. The calendar will include the following:

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- (1) A list of all dates when vacation cannot be taken due to operational needs.
- (2) A list of all dates when vacation may be taken by all employees.
- (3) A list of all dates when a part of the staff may take vacation indicating any limits on the number of employees who may take vacation or on the amount of vacation that may be taken.

b. Step Two: By April 15 of each school year or two weeks after the adoption of school calendars, whichever occurs last, each employee shall provide to their appropriate administrator or designee a proposed written vacation usage schedule for the following school year, which schedules vacation for the school year in amount necessary to assure the employee will not exceed the vacation cap amount.

The vacation days identified in the employee-submitted vacation schedule shall be scheduled in a manner consistent with the provisions of 1.6 through 1.9 below. Unless otherwise directed by the employee's appropriate administrator, the proposed vacation schedule for B, C, and E basis employees shall include the appropriate winter and spring recess days within the employee's basis, and for A basis employees, the second or third week of winter recess.

1.6

a. Within (15) calendar days of receipt of the employee's vacation usage schedule, the appropriate administrator shall provide a written acknowledgment either approving the employee's submitted vacation usage schedule for the following school year, or disapproving the submitted schedule and providing a basis in writing for that denial. Timely submitted vacation schedules shall not be denied for reasons other than workload, scheduling conflicts or where the proposed schedule for vacation would substantially interfere with the operation of the employee's work unit. Changes in pre-approved vacation schedules will not be made by the District except for critical operational necessity or an emergency that would substantially interfere with the operation of the employee's work unit. Vacations in progress shall not be canceled for reasons other than a declared state of emergency. Except as provided in Section 1.8, any scheduling conflict(s) between or among employees working in the same unit or office as to when vacation can be taken shall be decided by site or work unit seniority within classification. In the event of a tie, the scheduling conflict shall be determined by lot.

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b. An employee whose previously approved vacation has been changed due to a critical operational necessity shall have the right, prior to filing a formal grievance pursuant to the grievance procedure, to meet with the employee's appropriate administrator and the appropriate Division Head or designee to attempt to informally resolve the appropriateness of the vacation change. The meeting shall occur and the decision of the Division Head or designee shall be provided within five (5) days of the employee's request for the meeting. Nothing herein shall alter the 15-day time limit for filing a written grievance as required by Article IV, Grievance Procedure.

1.7 Once an employee's vacation schedule is submitted and approved pursuant to the above, no change can be made by the employee without submission of an alternate vacation schedule for the date(s) in question. The requested modification(s) shall not be unreasonably denied.

1.8 An employee that is prevented or prohibited from taking vacation previously approved by the employee's appropriate administrator shall be permitted to exceed by that amount the vacation cap amount for the school year in question, and shall be granted a preference the following year in scheduling vacation so as to assure the employee's ability to schedule sufficient vacation to reduce the employee's vacation accumulation below the vacation cap amount. However, such relief from the vacation cap amount must first be pre-approved in writing by the Superintendent or designee.

1.9 In circumstances where an employee could not reasonably have anticipated the need to request particular vacation time off, provided that such requested time is during a period that vacation would normally be available, nothing in the above vacation scheduling procedure will preclude an employee from requesting, and the administrator, in their discretion, from approving, a vacation request for time off not scheduled as above in Section 1.6. Such requests shall not be unreasonably denied.

1.10 The District shall be permitted (but not required) to schedule and require employees to take vacation under the following circumstances:

a. On days designated by the District as school holidays or at any other time during the employee's assignment period to avoid leave without pay;

b. When the employee fails to provide an annual vacation schedule per 1.5 above;

c. When the employee has accrued vacation in an amount equal to or greater than the vacation cap amount, as provided in 1.8 above;

d. When the employee is sent home pending the results of a disciplinary investigation (with the vacation used to be restored to the employee's

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vacation balance if the investigation does not lead to discipline); and

e. During periods within the employee's assignment basis when the District is closed, when the employee's work site is closed, or when there is a lack of work (unless the employee and the appropriate administrator agree that the employee may go unpaid during such a period). Where assignment of mandatory vacation is necessary due to lack of work as determined by management, volunteers shall be considered first; preference shall be given to employees in the affected classification at the site with the highest site seniority in classification. If the number of volunteers is insufficient, assignment of mandatory vacation shall be to those employees with the highest vacation balance. Exception to the foregoing may be made considering special needs, attendance records, the individual employee's vacation balance, and/or previously approved scheduled vacation.

1.11 Vacation may be interrupted or terminated in order to begin illness leave, bereavement leave, jury duty leave or military leave.

1.12 Except as set forth in 1.13 below, in computing pay for vacation, all applicable salary differentials shall be included and vacation shall be paid at the base salary rate in effect at the time the vacation is taken.

1.13 When a regular employee whose assignment is other than A Basis is given a Z Basis assignment, that employee shall earn vacation in accordance with the schedule set forth in 1.1 above.

1.14 Attendance Incentive Plan

a. A vacation-earning employee who accumulates a total of fifty (50) days or more of full-pay illness absence credit shall, on a one-time basis as of June 30 of the school year in which they accumulated those fifty (50) days, be credited with two (2) additional days of vacation. An employee whose full-pay illness absence credit drops below 50 or more days shall not be entitled to additional vacation under this section, except pursuant to subparagraph (b).

b. Each additional increment of twenty-five (25) days of unused full-pay illness absence credit beyond fifty (50) days shall entitle the employee to one (1) additional vacation day.

c. At the option of the appropriate Division Head, B, C and E basis employees may be paid for the additional days of vacation earned in 1.14a and 1.14b on the basis of their daily rate of pay during the preceding fiscal year.

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1.15 Staff Attendance Incentive:

On an annual basis with the attendance period beginning July 1, 2024 through June 30, 2025, permanent employees who exhibit high performance standards in the area of attendance (as defined by District) shall be eligible to receive the following annual incentives:

- a. Staff Annual Attendance Rate of 96%: \$100.00
- b. Staff Annual Attendance Rate of 97%: \$200.00
- c. Staff Annual Attendance Rate of 98%: \$300.00
- d. Staff Annual Attendance Rate of 99%: \$400.00
- e. Staff Annual Attendance Rate of 100%: \$500.00