

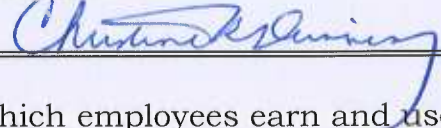
NEW CASTLE COUNTY

PERSONNEL POLICY

NUMBER	3.18
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DATE	12/16/14

SUBJECT: VACATION ACCRUAL AND USAGE

APPROVED:



OBJECTIVE: To define and explain the methods by which employees earn and use vacation.

STATEMENT: Vacation leave is a significant benefit provided by New Castle County to its full-time employees; its accrual and usage is governed by New Castle County Code, the various collective bargaining agreements, and personnel policies. Standard operating procedures have been developed by the Office of Human Resources to effectively manage this benefit.

Procedure:

1. Accruing Vacation. Vacation is credited in January of each year based on the employee's length of employment and number of complete months worked in the previous year. New employees are not eligible for paid vacation in their first year of employment but are credited with one day of vacation for each complete month of service (to a maximum of ten days) in January of the following year. Employees placed on the payroll on the first workday of any month shall be considered to have a full month's vacation service in that month. Unclassified (appointed) employees are governed by procedures outlined in Personnel Policy 3.04, Sick and Vacation Policy for Certain Appointed Employees. Part-time, temporary and seasonal employees and elected officials are not granted vacation leave.

Vacation will accrue according to the following schedule, based on years of service as of December 31st:

Less than 12 months service	One day for each completed month of service to a maximum of ten days
1 to 4 years of service	10 days of vacation
5 to 9 years of service	15 days of vacation
10 to 14 years of service	20 days of vacation
15 years of service	25 days of vacation
15+ years of service	25 days of vacation plus an additional day for each successive year of service

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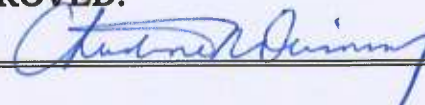
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Employees will be credited with the additional increments of vacation in January of the year in which they achieve five, ten, or fifteen or more years of service.

2. Vacation Scheduling. The vacation year is January 1 through December 31 for all employees except those covered by the FOP collective bargaining agreement. FOP employees accrue vacation as of December 31; however, vacation is used March 1 through the last day of February. Vacations must be applied for and taken during this time. Employees should be encouraged to submit their vacation requests early to avoid disrupting the flow of work at the end of the year. The scheduling of vacation periods shall be subject to the approval of the department general manager or row officer and, in an emergency, may be subject to change. Employees shall submit vacation requests in the format required by the department general manager or row officer. Requests shall be granted in accordance with the provisions of the appropriate collective bargaining agreement and/or the merit system.

3. Maximum Carryover/Minimum Usage. Limited vacation may be carried over into the following year provided a minimum amount of vacation is used, depending on union affiliation. See the appropriate collective bargaining agreement or merit system for maximum carryover limits and minimum usage requirements. Employees will not be permitted to exceed the maximum carryover and must use at least the minimum amount of vacation time indicated or the equivalent amount of vacation time will be forfeited. These requirements must be taken into consideration by employees who are eligible to "add to vacation" hours in accordance with a collective bargaining agreement. New employees in their first four years of employment are exempt from the mandatory minimum vacation usage provisions. Any requests for exceptions to the minimum use or maximum carryover of vacation must be for legitimate business reasons and approved by the department general manager and Chief Human Resources Officer. Compensatory time, personal leave, special events time, furlough, or other types of leave may not be substituted for vacation in calculation of minimum vacation used. Deductions for lack of minimum usage will be made first, followed by deductions of excess vacation over the maximum carryover so that no employee is unduly penalized. Please see the following examples:

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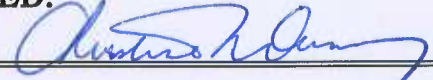
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Example 1: An employee who is permitted to carry over up to 30 days of vacation provided that he or she uses one week of vacation has 29 days of vacation to start the year and uses 4 days of vacation, leaving a 25-day balance. This employee will have 1 day deducted from the vacation balance to equal 5 days used, even though the maximum 30-day carryover has not been exceeded.

Example 2: The same employee has 39 days of vacation to start the year and uses 4 days of vacation, leaving an ending balance of 35 days. One day would be deducted (to reach minimum usage) leaving a balance of 34 days. An additional 4 days would then be deducted so as not to exceed the 30-day maximum carryover.

Example 3: An employee who is permitted to carry up to 30 days of vacation provided he or she uses one week of vacation or up to 50 days if two weeks is used, starts with 61 days of vacation and has an ending vacation balance of 53 days after using 8 days of vacation. Two days of vacation will be deducted to bring the total vacation usage to two weeks, thereby allowing the employee to carry over up to a maximum of 50 days. An additional day of vacation would then be deducted from the ending balance of 51 so as not to exceed the maximum carryover.

Department timekeepers have access to reports that may be run on an as-needed basis to assist them in monitoring employees' vacation balances.

4. Payment of Vacation at Termination. Employees will be paid any unused vacation balance upon termination of employment from New Castle County. In addition, employees are also eligible to be paid for earned vacation which has not yet been credited on a pro-rated basis for each complete month of service, provided at least two (2) weeks written notice is given. The department general manager or row officer may request to waive this notice requirement in certain circumstances, with the approval of the Chief Human Resources Officer. The proration shall be based on the following schedule:

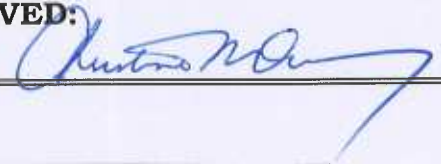
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Total Vacation Eligibility if Employee Worked the Entire Year	Number of Days for Each Completed Month of Service:	Not to Exceed (Days)
10	1.0	10
15	1.5	15
20	2.0	20
25	2.5	25
25 +	Total vacation eligibility divided by 10, rounded to the nearest ½ day	Total vacation eligibility

5. Employees on Unpaid Leave. Employees will not receive credit for any month in which they missed more than five (5) days unpaid. Employees must work ten (10) complete months in order to earn the full complement of vacation. Employees who work less than ten (10) complete months will receive a prorated vacation allowance based on the above schedule. Employees who are on unpaid leave for more than thirty (30) calendar days will also have their vacation service date adjusted upon their return to reflect the length of unpaid leave.
6. Military Leave. Employees on paid military leave receive the normal vacation update.
7. Vacation Crediting for Former Employees. In accordance with Personnel Policy 3.03, former full-time employees hired prior to December 5, 2011, may have adjusted vacation dates based on previous complete months of service.
8. Vacation Accrual for Employees Moving Between the Classified and Unclassified Service. Classified merit system and bargaining unit employees earn one day of vacation for each complete month of service in their first four years of employment. Unclassified (appointed) employees covered by Personnel Policy 3.04 (Sick and Vacation Policy for Certain Appointed Employees) accrue vacation at the rate of one and one-half days per month. Employees who move from an unclassified (appointed) position to a classified position covered by the merit

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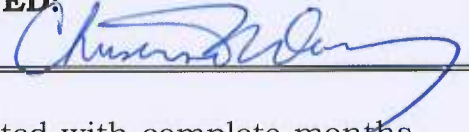
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system or collective bargaining agreement are credited with complete months worked at the higher accrual rate. Employees who move from a classified position to an unclassified (appointed) position should earn one day per month for months worked in the classified position. This only affects employees who move between the classified and unclassified service within their first four years of employment. Since vacation is accrued during the first ten months of service, the adjustment should be based on employment from January 1 through October 31 (or ten months from the date of hire).

9. Adjustments to Leave Balances Due to Change in Work Hours: In accordance with the various collective bargaining agreements and merit system, employees are granted a certain number of vacation "days." Employees who move from a 7-hour workday to an 8-hour workday or from an 8-hour workday to a 7-hour workday, for example, will have their hours balances reviewed and adjusted so that the employee has available an equivalent number of days as of the date of the personnel move.

REQUIRED ACTION: The Chief Human Resources Officer and department general managers and row officers shall be responsible for implementation of and compliance with this policy. Timekeepers shall be responsible for maintaining complete and accurate vacation records and reconciling employee balances with those in the payroll system.

Established: 06/01/06

Revised: 03/26/13

Revised: 12/16/14