

CITY OF DENTON

POLICY/ADMINISTRATIVE PROCEDURE/ADMINISTRATIVE DIRECTIVE

SECTION: HUMAN RESOURCES	REFERENCE NUMBER: 107.03
SUBJECT: EMPLOYEE BENEFITS AND SERVICES	INITIAL EFFECTIVE DATE: 08/21/84
TITLE: VACATION/BONUS TIME	LAST REVISION DATE: 05/27/2020

POLICY STATEMENT:

Vacation

It is the policy of the City of Denton to provide vacation pay and hours to all regular employees who have completed six (6) full months of employment. Vacation hours for eligible employees are accrued on a monthly basis. Pay in lieu of taking vacation is not permitted except upon termination. Only employees who have worked with the City for six (6) full months are entitled to be paid for vacation at termination.

An employee is not eligible to use vacation hours until he or she has completed six (6) full months of regular employment. Vacation hours may not be used in advance of the hours being accrued.

Vacation time for full-time non-Civil Service employees will be accrued at the rate of ten (10) hours per month of continuous service.

The intent of this vacation benefit is to provide time away from the work environment to pursue activities that will promote the well-being of the individual and good physical, mental, and emotional health. In accordance with this provision, all full-time regular employees will be required to take at least five (5) days of vacation per year.

Vacation accrual rates for Civil Service employees are covered in the Texas Local Government Code, Chapter 143.046.

Bonus Time

In addition to regular vacation, the City of Denton also awards bonus time to regular full-time non-Civil Service employees who have completed five (5) continuous years of full-time (part-time employees are not eligible for this benefit) service to the City. Upon completion of five (5) years of continuous service, each employee shall receive four (4) hours bonus time. For every year of continuous service thereafter, the employee will receive an additional four (4) hours for successive years beyond the fifth anniversary.

Example:

	<u>Bonus Award</u>
5th Anniversary	4 Hours
6th Anniversary	8 Hours
7th Anniversary...	12 Hours...

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This award continues until regular full-time service with the City has ended. Bonus time is awarded annually on the employee's anniversary date. Pay in lieu of taking bonus time is not permitted except upon termination.

Civil Service employees are eligible for bonus time after the completion of five (5) years of continuous service. Bonus accruals will begin on the fifth anniversary and continue for each year of continuous service. Bonus accrual rates for Civil Service employees are:

- Police 4 hours per year
- Fire 4 hours per year for all personnel who do not work 12-hour shifts
6 hours* per year for personnel who work 12-hour shifts

* [Proration based on twelve (12) hours equal one (1) day which is the calculation used to determine hourly rate.]

Bonus accruals are four (4) hours (6 hours for Fire personnel working 12-hour shifts) per year for every year of continuous service and are awarded annually on the employee's anniversary date.

Maximum Carry-Over

The maximum allowed carry-over of vacation and bonus time hours is based upon the employee's hire date with the City of Denton as either a regular employee or a civil service employee. Such date is the employee's "anniversary date". The maximum allowed carry-over of vacation and bonus time is 320 hours per year for all non-Civil Service full-time employees, Police Civil Service employees and Fire Civil service employees working less than 12-hours shifts. Non-Civil Service part-time employees will be permitted a pro-rata maximum accrual (240 hours for three-quarter time employees and 160 hours for half-time employees). Fire Civil Service employees working 12-hour shifts shall be allowed 480 hours per year. An employee may accrue as many hours of vacation as possible throughout the year; however, it is the employee's responsibility to ensure that his/her accrual is below the maximum allowable hours by the employee's annual anniversary date.

ADMINISTRATIVE PROCEDURES:

I. ACCRUAL

a. Regular Full-Time Non-Civil Service Employees

Vacation time for full-time non-Civil Service employees will be accrued at the rate of five (5) hours on the 1st and 15th of each month of continuous service.

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b. Regular Part-Time Employees (Includes 1/2 and 3/4 time workers)

Part-time employees accrue prorated vacation hours determined by their budgeted pay classification on the 1st and 15th of each month: half time = 2.5 hours; three quarters = 3.75 hours. These employees will not accrue bonus time.

Employees holding more than one part-time position may not accrue more vacation hours per month than a full-time employee. (See Part-Time Policy #106.08).

c. Civil Service Employees

Vacation accrual rates for Civil Service employees are covered in the Texas Local Government Code, Chapter 143.046.

d. Accrual Exceptions

Vacation/bonus time will not accrue during an employee's extended unpaid leave of absence (see Family & Medical Leave policy no. 107.04; Off Duty Injury or Illness policy no. 107.05; and Personal Leave Without Pay policy no. 111.08).

II. Employees in Their First Six Months of Employment

Upon the completion of six (6) full months of service, regular, full-time non-Civil Service employees will be credited with sixty (60) hours of vacation (earning 10 hours per month) on their 6-month anniversary date. Part-time employees budgeted to work one-half (1/2) time shall be credited with thirty (30) hours at the completion of six (6) full months of service, and the employees budgeted to work three-quarters (3/4) time shall be credited with forty-eight (48) hours at completion of six (6) full months of service.

After completion of six full months, the employee will continue to accrue vacation hours during the 1st and 15th of each month in halved amounts. For example, a full time employee accrues 5 hours of vacation leave on the 1st and 15th of the month, while a half-time employee accrues 2.5 hours of vacation leave on the 1st and 15th of the month and a three-quarter time employee accrues 3.75 hours of vacation. Vacation and bonus hours can be used during the pay period in which it is accrued.

III. SCHEDULING

A. The designated supervisor must approve all vacation and bonus time, giving due consideration to the service needs and the ability of the remaining staff to perform the work of the department or division. It is requested that each employee will give his/her supervisor the maximum notice

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possible. If taking more than one day of approved time, an employee must make the request at least three (3) working days in advance. The circumstances of individual departments (i.e., internal schedules, etc.) may require that more advance notice be necessary in order to arrange such leave.

- B. Accrual of compensatory time was eliminated in 2009; however, some Civil Service employees still have accumulated compensatory time. The supervisor may require the employee to use compensatory time before the use of vacation time. When considering whether to require the employee to use compensatory time, the supervisor shall take into account whether the employee has more than 320 hours of vacation accruals (480 hours for Civil Service Fire employees) and whether the employee will have the opportunity to reduce his/her vacation/bonus time leave accruals to 320 hours (480 hours for Civil Service Fire employees working a 12-hour shift), by his/her anniversary date.
- C. A supervisor may approve one (1) day or less of vacation or bonus time provided:
 - 1. The employee makes his request prior to the start of the affected work shift (unless the emergency arises during the shift).
 - 2. The reason for the request is reasonable and of an emergency nature and does not create an undue hardship on the division.
 - 3. The employee is not requesting to use vacation or bonus time for sick time when the employee has accrued sick leave balances.
- D. Vacation/bonus time must be taken in minimum intervals of 15 minutes.
- E. The maximum amount of continuous bonus and/or vacation time which can be granted to an employee at one time is four (4) calendar weeks, unless approved otherwise by the department head.
- F. Vacation/bonus time is not to be used in lieu of sick time when the employee has accrued sick leave.

IV. Payout Upon Termination

- A. An employee who terminates employment with the City of Denton can be paid for any accrued vacation hours up to the maximum for non-Civil Service or Civil Service as follows:

Non-Civil Service, full-time	320
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Non-Civil Service, three quarter-time	240
Non-Civil Service, half-time	160
Police Civil Service	320
Fire Civil Service (other than 12-hour shifts)	320
Fire Civil Service (12-hour shifts)	480

- B. The payout of vacation time shall be based on the vacation balance of the previous pay date less any time taken in the final pay period. Non-Civil Service employees who fail to successfully complete six (6) full months of employment will not be paid out any vacation.
- C. Employees terminated for gross misconduct, as determined by the City Manager, will not be paid out accrued vacation time.
- D. In the event an employee does not return all requested City property within their possession on or before the week of the issuance of the final check, they will not be paid accrued vacation time.

V. FINAL PAYMENT - DEATH OF EMPLOYEE

An employee who dies while in active employment with the City is entitled to accrued vacation, as any other employee who separates employment. Employees are provided the opportunity to designate a beneficiary for accrued vacation. The person designated as primary beneficiary will be authorized to receive the final employee paycheck covering a deceased employee's accrued vacation benefit up to the maximum outlined in section IV.

VI. FAMILY AND MEDICAL LEAVE

Notice requirements for vacation/bonus time approval may be suspended in the event the employee is requesting Family & Medical Leave (policy no. 107.04). Employees who qualify for Family & Medical Leave must comply with all provisions of the Family & Medical Leave policy.

VII. MISUSE OF VACATION/BONUS TIME

Vacation/bonus time benefits will not be paid for the same time an employee receives sick leave pay, holiday pay, death in the family leave pay or any other paid leave benefit, nor shall an employee be paid vacation/bonus time for absences that are subject to the Sick Leave policy (111.01) when the employee has an accrued sick leave balance.

VIII. SEASONAL AND TEMPORARY EMPLOYEES

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Temporary and seasonal employees shall not earn or accrue vacation/bonus time or be entitled to vacation/bonus time pay upon separation.

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VACATION/BONUS TIME ADDENDUM - COVID-19**ADMINISTRATIVE DIRECTIVE - VACATION/BONUS TIME COVID-19**

This Addendum shall apply from March 7, 2020, through March 5, 2022 and does not change the terms and conditions of employment for City employees.

EXTENDED TIME TO UTILIZE VACATION CARRY-OVER

During the term of the declared local emergency, some employees who were unable to use their accrued vacation and bonus time hours in more than one (1) day increments during the months of March and April of 2020 may have accrued over the maximum carry-over amount as provided in Section IV of the Vacation/Bonus Time policy. Beginning March 7, 2020, and ending March 6, 2021, employees will be granted a one-time extension of one (1) year from their anniversary date to utilize earned vacation and bonus time hours. Impacted employees who do not utilize their excess carry-over before the expiration of the one (1) year extension from their anniversary date will automatically forfeit the use of their excess carry-over and will not be permitted to carry over to the next year their excess carry-over. It is the employee's responsibility to ensure that their accrued vacation and bonus time hours do not exceed the maximum allowable carry-over amount as provided in Section IV of the Vacation/Bonus Time policy by the expiration of the one (1) year extension period.

PAYOUT UPON TERMINATION

Payout of accrued vacation time for eligible employees who terminate their employment with the City will be paid out as provided in Section IV of the Vacation/Bonus Time policy.