

North Orange County Community College District  
**ADMINISTRATIVE PROCEDURES**  
 Chapter 7  
 Human Resources

## AP 7230-3 Confidential Employees – Vacation Plan

- 1.0 **Paid Vacation:** Vacations with pay will be granted to all confidential employees who have been employed for at least six (6) working months with the District. After completion of this six (6) month period, vacation leave earned, as provided herein, shall be available to the employee.
- 1.1 Confidential employees who are employed full-time (100%) shall earn vacation leave for each calendar month in which the employee is in paid status for more than one-half (1/2) of the working days in the month according to the following schedule.

VACATION ACCRUAL BASED ON FULL-TIME (100%) EMPLOYMENT								
Years of Service *	Hours Earned Per Month	TOTAL HOURS EARNED PER FISCAL YEAR						
		12-Month Position	11.5-Month Position	11-Month Position	10.5-Month Position	10-Month Position	9.5-Month Position	9-Month Position
1 - 4	8.00	96.00	92.00	88.00	84.00	80.00	76.00	72.00
** 5 - 9	10.67	128.04	122.71	117.37	112.04	106.70	101.37	96.03
** 10- 14	13.33	159.96	153.30	146.63	139.97	133.30	126.64	119.97
** 15 - 19	14.67	176.04	168.71	161.37	154.04	146.70	139.37	132.03
** 20 +	16.00	192.00	184.00	176.00	168.00	160.00	152.00	144.00

\* Years of service includes previous service with the District with no break in service longer than thirty-nine (39) months after permanency was achieved. The scheduled period of time off for a confidential employee who has less than a twelve (12) month assignment is not considered a break in service.

\*\* Longevity increases in the number of hours earned per month become effective on the confidential employee's anniversary date at the beginning of the fifth, tenth, fifteenth, and twentieth years of service.

- 1.2 Confidential employees employed less than full-time shall earn a proportionate share of vacation leave, prorated by the percentage of employment, for each calendar month in which the employee is in paid status for more than one-half (½) of the working days in the month. Percentage of employment is defined as the number of hours worked per day in relation to a full-time equivalent of eight hours (e.g., eight hours per day is equal to 100%; four hours per day is equal to 50%).
- 1.3 Probationary confidential employees shall not be eligible to take vacation until the first day of the pay period following completion of six (6) working months of employment with the District. Earned vacation for probationary confidential employees shall not become a vested right until the employee has completed six (6) working months of service. No payment for vacation accumulation shall be made to probationary confidential employees who separate from employment with the District prior to completion of six (6) working months of service.
- 1.4 Vacation leave must be earned before it can be used. Exception may be made for employees with less than twelve month assignments where the employee's schedule

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requires that the employee be on vacation during District-designated recess periods; however, the amount of advanced vacation time granted for use during these periods shall not exceed the amount of vacation time the employee would accrue for that fiscal year. A confidential employee may not elect to be paid in lieu of taking vacation leave.

- 1.5 Fractional days of vacation leave may be granted in not less than one (1) hour increments.
- 1.6 Requests for vacation leave must normally be submitted in writing and the use of vacation leave must be approved in advance by the confidential employee's immediate management supervisor.
- 2.0 **Vacation Carryover:** Any unused vacation time earned by a confidential employee in a given fiscal year may be carried over to the next fiscal year, provided a confidential employee's maximum total of accumulated vacation hours as of the end of any fiscal year, as reported on the employee's June time sheet, shall not exceed one and one-half (1.5) times the number of vacation hours that would be earned by the employee in that fiscal year. Whenever a confidential employee's accumulated vacation balance as of July 1 of any fiscal year exceeds the maximum allowable amount, the employee shall present a plan, subject to approval by the immediate management supervisor and not later than September 30 of the fiscal year, for reducing the excess vacation balance not later than the end of the fiscal year.
- 2.1 The following schedule sets forth the maximum vacation accumulation limits, based on full-time (100%) employment:

VACATION ACCUMULATION LIMIT BASED ON FULL-TIME (100%) EMPLOYMENT								
Years of Service	Hours Earned Per Month	MAXIMUM PERMITTED TOTAL ACCUMULATED VACATION HOURS						
		12-Month Position	11.5-Month Position	11-Month Position	10.5-Month Position	10-Month Position	9.5-Month Position	9-Month Position
1 - 4	8.00	144	138	132	126	120	114	108
5 - 9	10.67	192	184	176	168	160	152	144
10- 14	13.33	240	230	220	210	200	190	180
15 - 19	14.67	264	253	242	231	220	209	198
20+	16.00	288	276	264	252	240	228	216

- 2.2 The maximum vacation accumulation limit for confidential employees employed less than full-time shall be reduced proportionately, based on the percentage of employment.
- 2.3 Whenever a confidential employee's accumulated vacation balance as of July 1st of any fiscal year exceeds the maximum allowable amount, the employee shall present

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a plan, subject to approval by the immediate management supervisor and not later than September 30th of the fiscal year, for reducing the excess vacation balance not later than the end of the fiscal year. If the confidential employee is not permitted to take all or part of the required vacation by the end of the fiscal year, the amount not taken shall be paid.

- 3.0 **Illness During Vacation:** A confidential employee who becomes ill during the employee's prescribed vacation period may use sick leave days in lieu of vacation days where the illness is of a nature that would preclude the effective use of vacation leave and would prevent the performance of the employee's normal duties if the employee were scheduled for duty. The confidential employee must furnish the District with a medical statement from a licensed physician verifying the illness and the period of disability. The medical statement and a request to use sick leave days in lieu of vacation days must be submitted to the District Office of Human Resources within five (5) working days of the employee's return to duty. The District shall have no obligation to extend the vacation period beyond the schedule as originally approved.
- 4.0 **Holidays During Vacation:** When a holiday falls during the scheduled vacation of a confidential employee, the holiday will not be charged against the employee's earned vacation leave.
- 5.0 **Vacation Pay Upon Termination:** Except as provided in section 1.2, when a confidential employee is separated from employment with the District for any reason, including layoff, the employee shall receive a lump-sum payment for all vacation leave earned and accumulated through the last day in paid status. Payment shall be at the confidential employee's current regular rate of pay. At the time of separation, any vacation time taken and not earned by the date of termination of employment will be deducted from the confidential employee's final paycheck.
- 6.0 Notwithstanding any other provisions of this procedure, the District shall have the right to pay a confidential employee for unused vacation leave at any time, pursuant to the provisions of Education Code section 88197.

**Date of Adoption:** March 25, 2008

**Date of Last Revision:** February 12, 2013 Board of Trustees