

300 PERSONNEL, continued

308           Vacation

The Board of Directors will provide annual vacation to all employees on the Administrator, Senior Program Manager, Construction Services, Technical/Supervisory and Classified salary schedules who are assigned an FTE of .50 or above and are scheduled to work at least 238 days per year.

No employee shall earn more than twenty five (25) days of vacation per year of employment.

300 PERSONNEL, continued

- 308            Vacation, continued
- R308.1        General Provisions
- R308.1a       The department head, or his/her designee(s), shall be responsible for approval of all requests for vacation leave.
- R308.1b       Every attempt will be made to schedule vacation leave consistent with employee requests. However, employees may be required to schedule vacation leave to meet the needs of the program, department and/or the Agency.
- R308.1c       In the event that an employee's vacation leave is scheduled to include one or more holidays the employee will not be charged vacation leave for the holidays if he/she is otherwise eligible to be paid for the holiday(s).
- R308.1d       Vacation leave is not available to employees until after having served six (6) consecutive months of employment in a new position. Limited exceptions may be granted upon approval of the department head and the Director of Human Resources.
- R308.1e       Employees accrue vacation leave for their first month of employment if they are placed on payroll on or before the fifteenth (15th) day of the month and actually work continuously through the rest of that month.
- R308.1f       On December 31 of each year employee vacation balances cannot exceed 240 hours. On that date each year, vacation balance hours in excess of 240 hours will be canceled.
- R308.1g       Exceptions to R308.1f may be made in unusual circumstances upon approval by the Superintendent of a written request submitted through the Human Resources Department and recommended by the division administrator. Vacation carried over under this provision will not be compensated as described in R308.1h.
- R308.1h       Terminating employees do not receive vacation leave credit for the month in which they terminate unless they have actually worked continuously through the fifteenth (15th) day of that month.
- R308.1i       When employees voluntarily terminate their employment or are terminated after one (1) full year of continuous service, they are entitled to termination pay in lieu of vacation not to exceed 240 hours. In case of death, termination pay is paid to the estate of the employee

R308.1j Employees hired prior to September 1, 2000, who were eligible for vacation will continue to accrue vacation leave consistent with the policy in place at the time of hire. Exceptions are employee groups where salary schedules were modified to reflect a change in vacation eligibility.

R308.1a amended 1-23-79; 3-29-88; 9-26-95; 8-23-2011

R308.1b amended 8-23-2011

R308.1c amended 8-23-2011

R308.1d amended 1-23-79; deleted 6-24-82

R308.1d adopted 2-26-85; amended 3-26-91; amended 2-21-95, 8-23-2011

R308.1e amended 1-23-79; amended & renumbered R308.1d 6-24-82; amended and renumbered R308.1e 2-26-85; amended 3-29-88; 2-23-93; amended 2-21-95; 8-23-2011

R308.1e1 adopted 2-21-95; 9-26-95; amended 2-20-07; deleted 8-23-2011

R308.1j adopted 8-23-2011



300 PERSONNEL, continued

308 Vacation, continued

R308.2 Administrator Salary Schedule

Eligible full-time employees placed on the Administrator Salary Schedule shall earn vacation for each month of completed service as follows:

|              |              |              |
|--------------|--------------|--------------|
| Years 1 - 5  | 13.33 hrs/mo | (20 days/yr) |
| Years 6 & up | 16.67 hrs/mo | (25 days/yr) |

Eligible employees working less than full time shall have their accrual prorated based on FTE.

300 PERSONNEL, continued

308 Vacation, continued

R308.3 Other Salary Schedules

R308.3a Classified Salary Schedule

Eligible full-time employees placed on Levels A through F of the Classified Salary Schedule accrue vacation leave for each month of completed service as follows:

|       |         |            |                |
|-------|---------|------------|----------------|
| Years | 1 - 4   | 12 days/yr | (8 hrs/mo)     |
| Years | 5 - 9   | 15 days/yr | (10 hrs/mo)    |
| Years | 10 - 20 | 20 days/yr | (13.33 hrs/mo) |
| Years | 21 & up | 25 days/yr | (16.67 hrs/mo) |

Eligible full-time employees placed on Levels G through J of the Classified Salary Schedule accrue vacation leave for each month of completed service as follows:

|       |         |            |                |
|-------|---------|------------|----------------|
| Years | 1-4     | 15 days/yr | (10 hrs/mo)    |
| Years | 5 - 20  | 20 days/yr | (13.33 hrs/mo) |
| Years | 21 & up | 25 days/yr | (16.67 hrs/mo) |

Eligible employees working less than full time shall have their accrual prorated based on FTE.

R308.3b Eligible full-time employees placed on the Senior Program Manager, Technical/Supervisory, and Construction Services Salary Schedules shall accrue vacation leave for each month of completed service as follows:

|       |         |            |                |
|-------|---------|------------|----------------|
| Years | 1-4     | 15 days/yr | (10 hrs/mo)    |
| Years | 5 - 20  | 20 days/yr | (13.33 hrs/mo) |
| Years | 21 & up | 25 days/yr | (16.67 hrs/mo) |

Eligible employees working less than full time shall have their accrual prorated based FTE.

R308.3a amended 8-23-2011  
R308.3a1 deleted 8-23-2011  
R308.3b amended 8-23-2011  
R308.3c deleted 8-23-2011  
R308.3d-3h deleted 8-23-2011

300 PERSONNEL, continued

308 Vacation, continued

R308.4 Leave Sharing

Employees may, with the approval of the Superintendent or his/her designee, donate vacation leave or sick leave to another ESD employee for sick leave purposes. RCW 28A.400.380

R308.4a Eligibility to Receive Shared Leave

An employee may be eligible to receive shared leave under the following conditions as determined by the Human Resources Department:

- 1) the employee suffers from, or has a family member suffering from a life threatening illness or injury. Family member is defined in ESD board policy R309.2(a)(5.);
- 2) the employee's job is one in which vacation and/or sick leave can be used or accrued;
- 3) the employee has one year of continuous employment in a regular ESD position and is assigned to work 20 hours per week or more;
- 4) the employee has exhausted or will exhaust his/her vacation leave and sick leave and all other paid leaves;
- 5) the employee has abided by the ESD regulations regarding sick and vacation leave use; and
- 6) the employee has diligently pursued and been found to be ineligible for time loss compensation under chapter 51.32 RCW (the chapter of the state Industrial Insurance Act entitled "Compensation--Right to and Amount").

R308.4a1 Any employee who wishes to receive leave under this policy shall submit a shared leave request form to the Human Resources Department. The ESD shall require the employee or his/her legal representative to submit, prior to approval or disapproval, documentation from a licensed physician or other authorized health care practitioner verifying the life threatening illness or injury and expected duration of the condition.

308 Vacation, continued

R308.4 Leave Sharing, continued

R308.4a2 No employee shall receive more than 40 days of shared leave for his/her life threatening illness or injury in a 12 month period; or no more than 20 days of shared leave for a family member's life threatening illness or injury in a 12 month period.

R308.4b Donation of Leave

An employee may donate vacation and/or sick leave to another employee under the following conditions:

- 1) An employee who has an accrued vacation leave balance of more than ten (10) days may request the Superintendent or his/her designee to transfer up to 6 days of vacation leave per calendar year to another employee authorized to receive leave. In no event may the employee request a transfer of an amount of leave that would result in his/her vacation leave account going below ten (10) days.
- 2) An employee who has an accrued sick leave balance of more than twenty-two (22) days may request the Superintendent or his/her designee to transfer up to 6 days of *sick leave* to another employee authorized to receive leave. Such transfer shall not result in the donor's sick leave account going below twenty-two (22) days.

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308 Vacation, continued

R308.4 Leave Sharing, continued

R308.4c Computation of Leave Transferred

Computation of leave transferred shall be as follows:

- 1) Calculate the value of donated leave as days donated times donor's daily rate of pay.
- 2) Convert to the value of shared leave by dividing the value of donated leave in #1 by the recipient's daily rate of pay.
- 3) Once calculated, the leave is coded as shared leave and maintained separately from all other leave balances for the recipient.
- 4) One (1) day of donated leave may cover more or less than one (1) day of the recipient's leave.
- 5) The recipient will continue to be paid his/her regular rate of pay while on shared leave.
- 6) Transfers of leave shall not exceed the requested amount.

R308.4d Disposition of Unused Leave

R308.4d1 Any shared leave not used by the recipient in a 12-month period following the request for leave shall be returned to the donor(s).

R308.4d1a If the recipient continues to need shared leave after a 12-month period, a new request for shared leave shall be submitted pursuant to R308.4a.

R308.4d2 Any shared leave not used by the recipient during each incident/ occurrence as determined by the Superintendent or his/her designee shall be returned to the donor(s).

R308.4d2a The shared leave remaining will be divided among the donors on a prorated basis based on the original donated value and returned at its original donor value and reinstated to each donor's vacation or sick leave balance.

R308.4e All donated leave must be given voluntarily. No employee shall be coerced, threatened, intimidated or financially induced into donating sick leave for purposes of this program.

## **Amendments to R308.4**

R308.4 adopted 2-20-90; amended 3-26-91; 2-23-93; 8-28-08

R308.4a amended 3-26-91; 2-23-93; 8-26-08

R308.4a1 amended 2-23-93; 8-26-08

R308.4a2 adopted 3-26-91; removed 8-28-08

R308.4a3 amended and renumbered R308.42 8-28-08

R308.4a4 adopted 2-25-97; removed 8-28-08

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R308.4b(1) renumbered R308.4a1) & amended 3-26-91

R308.4b(2) renumbered R308.4a3) 3-26-91

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R308.4b(3) renumbered R308.4a4) 3-26-91

R308.4b(4) renumbered R308.4a5) & amended 3-26-91

R308.4b(5) renumbered R308.4a6) 3-26-91

R308.4b amended 1-25-04

R308.4c renumbered R308.4a1 & amended 3-26-91

R308.4c1 renumbered R308.4a3 3-26-91

R308.4c adopted 3-26-91

R308.4c6) adopted 2-25-97

R308.4d renumbered R308.4b(1) & amended 3-26-91

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R308.4d1 adopted 2-25-97

R308.4d1a adopted 2-25-97

R308.4d1 deleted 3-26-91; renumbered R308.4d2a 2-25-97

R308.4e deleted 3-26-91

R308.4e adopted 3-26-91

R308.4f deleted