

Vacation Leave

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Policy

Vacation leave is credited to employees who are in pay status (working, on paid leave or on workers' compensation leave) for one-half or more of the regularly scheduled workdays and holidays in the pay period in accordance with the provisions outlined below.

Purpose

The primary purpose of paid vacation is to allow employees to renew their physical and mental capabilities and to remain a fully productive employee. Employees are encouraged to request leave during each year in order to achieve this purpose.

Vacation Leave

Covered Employees and Vacation Leave Credits

Full-time permanent, probationary, and time-limited employees are granted leave based on length of total State service as shown in Table I. (Part-time employees who work half-time or more are granted prorated leave.)

Temporary and part-time (less than half-time) are not granted leave.

Uses of Leave

Vacation leave may be used for:

- vacation,
- other periods of absence for personal reasons,
- absences due to adverse weather conditions,
- personal illness (in lieu of sick leave),
- illness in the immediate family, and
- time lost for late reporting; however, deductions should be made from the employee's pay where excessive tardiness or absenteeism occurs.
- donations to an employee who is an approved voluntary shared leave recipient

Options for use of vacation leave under the Workers' Compensation Policy, Family and Medical Leave Policy, and Military Leave Policy are included in these respective policies.

Table I - Leave Credits

Years of Total State Service	Hours Granted Each	Hours Granted Each	Days Granted Each
	Month	Year	Year
Less than 5 years	9 hrs. 20 mins.	112	14
5 but less than 10 years	11 hrs. 20 mins	136	17
10 but less than 15 years	13 hrs. 20 mins.	160	20
15 but less than 20 years	15 hrs. 20 mins.	184	23
20 years or more	17 hrs. 20 mins.	208	26

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Total State Service Defined A full month of credit is given for total State service, both subject to and exempt from the Human Resources Act if:

the appointment is:	AND the appointment is:	AND the employee is:
<ul style="list-style-type: none"> • Full-time, or • Part-time (half-time or more) 	<ul style="list-style-type: none"> • Permanent, • Probationary, or • Time limited 	<ul style="list-style-type: none"> • in pay status for one-half or more of the regularly scheduled workdays and holidays in the pay period, or • is on authorized military leave

Other Credit for Total State Service

Credit shall also be given for employment with:

- other governmental units that are now State agencies;
- the county Cooperative Extension Service, Community College System and the public school system of North Carolina, with the provision that a school year is equivalent to one full year,
- a local Mental Health, Public Health, or Social Services if such employment is SHRA.
- a local Emergency Management Agency in North Carolina that receives federal grant-in-aid funds,
- the General Assembly (except for participants in the Legislative Intern Program and pages). All of the time, both permanent and temporary, of the employees will be counted; and the full legislative terms of the members,
- authorized military leave from any of the governmental units for which service credit is granted, provided the employee is reinstated within the time limits outlined in the State Military Leave policies,
- authorized workers' compensation leave from any of the governmental units for which service credit is granted

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Accounting for Creditable Service

The agency shall be responsible for informing each employee of the types of prior service that are eligible to be counted as total State service. If the employee fails to produce evidence of prior service at the time of employment and later produces such evidence, it creates a cumbersome, time-consuming process to adjust leave records. When this occurs, credit will be allowed for the service and the earnings rate will be adjusted; however, retroactive adjustments will only be allowed for the previous twelve months. Exceptions will be made if the agency is at fault or fails to properly detect prior service.

Scheduling Leave

Vacation leave shall be taken only upon authorization of the agency head (or designee). Although approval of the use of vacation leave is discretionary, requests by an employee to use vacation leave should be granted if the employee has sufficient accrued vacation leave and the granting of the leave will not result in undue hardship on the agency or its employees.

If an employee has holiday compensatory time, overtime compensatory time, gap hours compensatory time, callback compensatory time, on-call compensatory time, travel compensatory time, emergency closing compensatory time or incentive leave, it shall be taken before vacation leave.

Accumulation

Vacation leave may be accumulated without any applicable maximum until December 31 of each year. However, if the employee separates from service, payment for accumulated leave shall not exceed 240 hours.

On December 31 of each year any employee with more than 240 hours of accumulated leave shall have the excess accumulation converted to sick leave so that only 240 hours are carried forward to January 1 of the next calendar year.

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Accumulation for part-time employees shall be prorated.

Advancement

An employee may be advanced the amount of vacation leave needed on an individual basis and which can be credited during the remainder of the calendar year.

If more leave is taken than can be credited during the calendar year, the balance above the amount that can be advanced shall be deducted in the next paycheck.

Leave Charges

Leave shall be charged in units of time appropriate and consistent with the responsibility of managing absences in keeping with operational needs.

Continuation of Benefits

When exhausting leave, the employee continues to accumulate leave; is entitled to holidays and is eligible for salary increases during that period.

Leave Transferable

When an employee transfers from...	THEN, leave...	OR...
State SHRA to SHRA	shall be transferred	
State SHRA to EHRA	may be transferred subject to the receiving agency's approval.*	employee shall be paid in a lump sum, not to exceed 240 hours (prorated for part-time).
State EHRA to SHRA	may be transferred subject to the receiving agency's approval.	employee shall be paid in accordance with existing leave policies.

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From a State agency to a: <ul style="list-style-type: none"> • Public school, • Community College • Technical Institute • Local Mental Health, • Local Public Health • Local Social Services, • Local Emergency Management 	may be transferred subject to the receiving agency's approval.*	the employee shall be paid in a lump sum not to exceed 240 hrs. (prorated for part-time employees). If only a part of the leave is accepted, the combination cannot exceed 240 hrs.
A local agency listed above to a State agency	may be transferred subject to the receiving agency's approval.	if any portion of leave is paid, the combination cannot exceed 240 hrs.

*Transfer and payment of leave is an agency decision. If the receiving agency accepts all of the leave, the employee does not have an option of transferring some of the leave and receiving a lump sum payment of some of the leave.

Separation – Pay for Leave

Lump sum payment for leave is made only at the time of separation.

When separation is due to...	Accumulated Vacation Leave	THEN the employee	and the date separated is:
<ul style="list-style-type: none"> • Resignation • Dismissal, • Death 	shall be paid in a lump sum not to exceed 240 hours (prorated for part-time employees)	ceases to <ul style="list-style-type: none"> • accumulate leave • be entitled to take sick leave; • be entitled to holidays. (See ⁽¹⁾ exception below.) 	the last day of work. (See ⁽²⁾ & ⁽³⁾ exceptions below)
<ul style="list-style-type: none"> • Service retirement, • Early retirement, or • Reduction in force 	may be exhausted if the employee elects to do so.	accrues benefits while exhausting leave.	the last day of leave. ^{**} (4) See example below.
(1) When the last day(s) of the month is a holiday and the employee is in pay status through the last available workday, the employee shall also receive pay for the holiday(s).			

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(2) If an employee is exhausting approved sick/vacation leave for medical reasons and resigns or dies before returning to work, the date separated shall be the date the employee resigns or dies. This is subject to the approval of the Agency HR office.

(3) If an employee gives notice of a resignation and becomes ill, the employee may exhaust sick/vacation leave up until the date of the resignation. The date separated will be the date of resignation. This is subject to the approval of the Agency HR office and requires medical documentation to certify the illness.

(4) An employee retiring or being reduced in force effective January 1st of a given year could establish the last day of work as December 14 (for example); then exhaust 64 hours of leave through the end of December and receive the unused balance, up to 240 hours, in a lump sum. The date separated would be December 31st.

Overdrawn Leave

If an employee separates and is overdrawn on leave, it will be necessary to make deductions from the final salary check.

Retirement Contribution

Retirement deductions shall be made from all leave payments.

Payment to Estate

In the case of a deceased employee, payment for unpaid salary, leave, and travel must be made, upon establishment of a valid claim, to the deceased employee's administrator or executor. In the absence of an administrator or executor, payment must be made to the Clerk of Superior Court of the county of the deceased employee's residence.

Leave Records

It is the responsibility of each agency to maintain vacation leave records for each employee. Leave records shall be balanced at least at the end of each calendar year. Agencies should assume responsibility for notifying employees of leave balances at least once each year.

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Agencies must retain leave records for all separated employees for a period of at least five years from the date of separation.

If leave records are kept electronically, the agency does not need to keep paper copies.

BONUS LEAVE

Amount and Eligibility

The General Assembly has approved the following bonus leave:

Amount of leave	Effective Date	Eligibility
80 hours	September 30, 2002	All employees except: <ul style="list-style-type: none"> • Employees who do not earn leave, and • Employees paid on the Teacher Salary Schedule or the School Based Administrator Salary Schedule.
80 hours	July 1, 2003	All employees except: <ul style="list-style-type: none"> • Employees who do not earn leave, • Employees of the State Highway Patrol who receive an automatic increase, and • Employees paid on the Teacher Salary Schedule or the School Based Administrator Salary Schedule.
40 hours	September 1, 2005	All employees except: <ul style="list-style-type: none"> • Employees who do not earn leave, and • Employees paid on the Teacher Salary Schedule or the School Based Administrator Salary Schedule.
40 hours	September 1, 2014	All employees except: <ul style="list-style-type: none"> • Employees who do not earn leave

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Provisions for Part-Time Employment and Leave without Pay

- (1) Full-time employees who work less than 12 months shall receive a pro rata amount.
- (2) Permanent part-time employees (half-time or more) shall receive a pro rata amount.
- (3) Employees on leave without pay, other than workers' compensation leave and leave for reserve active duty, shall be credited with the bonus leave upon their return based on their type of appointment at the time of leave without pay began. If they do not return to work, they are not eligible for the leave.
- (4) Employees on workers' compensation leave and leave for reserve active duty shall be credited with bonus leave for use upon their return to work. If the employee does not return, the bonus leave shall be paid in addition to any other leave, in accordance with the leave policies.

Scheduling Bonus Leave

- (1) Bonus leave shall be taken only upon appropriate authorization.
- (2) Bonus leave shall be used after holiday compensatory time, over-time compensatory time, gap hours compensatory time, callback compensatory time, on-call compensatory time, travel compensatory time, and emergency closing compensatory time.
- (3) Bonus leave may be used for any purpose for which regular vacation leave is used.
- (4) Bonus leave shall be charged in units of time consistent with regular vacation leave guidelines.

Accounting for the Bonus Leave

- (1) Bonus leave shall be accounted for separately from regular earned vacation leave.
- (2) Any balance of bonus leave on December 31 will be retained by the employee and transferred into the next calendar year. It will not be as part of the maximum 240 hours of vacation that can be retained.
- (3) Bonus leave will not be subject to conversion to sick leave.

Transferring Bonus Leave

Any balance of bonus leave will be transferred with the employee who transfers to another State agency eligible for bonus leave.

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Separation/Status Change

Bonus leave balance will be paid in addition to regular vacation leave if the employee leaves state government or the appointment type changes to a non-leave earning status (such as exempt, part-time, etc.).

Miscellaneous Provisions

- (1) Bonus leave may be applied to negative balances of regular earned leave with the approval of the employee and the agency head (or designee).
- (2) Bonus leave is available to be donated as vacation leave under the Voluntary Shared Leave provisions.
- (3) Agencies shall maintain records of bonus leave for each employee.