

VACATION, SICK, and GARCIA LEAVE POLICY

I. Vacation Leave

Individuals designated as regular employees shall be entitled to accrue annual vacation leave with pay, as set forth below:

Section 1.1 Vacation leave accrual

A. Full-time employees shall accrue vacation leave dependent upon years of service, as follows:

- (1) Employees with fewer than five years continuous service accrue 10 days annually.
- (2) Employees with five but fewer than nine years continuous service accrue 15 days annually.
- (3) Employees with nine but fewer than fourteen years continuous service accrue 18 days annually.
- (4) Employees with fourteen or more years of continuous service accrue 20 days annually.

B. A “day” of vacation is defined as follows:

- For employees working a 40-hour workweek, a “day” is 8 hours; and
- For uniformed firefighters working a designated 52-hour workweek schedule, a “day” is 12 hours.

C. Part-time employees designated as half-time (20 < 30 hours per week) shall accrue vacation at one-half the rate earned by full-time employees as set forth in Section A, regardless of the number of hours actually worked in a pay week.

D. Part-time employees designated as three quarter-time (30 < 40 hours per week) shall accrue leave at three-fourths the rate earned by full-time employees as set forth in Section A, regardless of the number of hours actually worked in a pay week.

E. Employees in jobs designated as “Vacation in lieu of Holiday” (“VHOL”) shall accrue vacation leave at the annual rate set forth above in Section A plus one day of vacation for each paid holiday approved by City Council. VHOL is a part of vacation and is included in vacation leave carry-forward limits.

VHOL (Vacation-in-lieu of Holiday) may be applied to departments that work in 24 hours per day, seven days per week shift operations and to the jobs with duties that are required to regularly work on city holidays.

- F. Employees who do not use sick or leave without pay for 13 consecutive weeks and who work a full work schedule during that time shall receive one-half additional day of vacation. This “T-13” leave is awarded, not accrued, and does not increase vacation leave carry-forward limits.

Vacation leave accumulated in excess of two times the annual accrual rate (including VHOL days) becomes accrued sick leave in the payroll cycle following the week that includes December 31st of each year.

Section 1.2 Payment for accrued vacation leave

Employees who are separating from the city’s service shall be compensated for vacation leave accumulated to the day of separation as follows:

- A. The employee’s hourly rate will be used to calculate the value of the vacation leave hours.
- B. Employees involuntarily separated from the city’s service shall be compensated for vacation leave accumulated to the day of separation.
- C. Employees who resign from the city’s service shall be compensated for vacation leave accumulated to the day of separation, provided that proper verbal or written notice has been provided, as defined by the City Manager
- D. For purposes of reporting to the Charlotte Firefighter Retirement System, the maximum amount of vacation days that can be accrued in a two-year period is two times the annual accrued vacation days plus two times the annual accrued VHOL days (if applicable). Section 1.B definitions for a day of vacation will apply. Annual accrued vacation hours do not include Garcia Leave or T-13 Leave.

Section 1.3 Garcia Leave

Uniformed firefighters on a 52-hour operational schedule will accrue one half hour (i.e. ½ hour) of “Garcia” leave per week in a separate bank. “Garcia” leave will be compensatory time available for use during the year it is awarded and, if it is not used, will be paid out each calendar year at the firefighter’s hourly rate.

II. Sick Leave with Pay

Individuals designated as regular employees shall be entitled to accrue sick leave with pay, as set forth below:

Section 2.1 Sick leave accrual

- A. Full-time employees shall accrue sick leave at the rate of eight hours per month.
- B. Part-time employees designated as half-time (20 < 30 hours per week) shall accrue sick leave at a rate of 6 days (48 hours) per year, regardless of the number of hours actually worked in a pay week.
- C. Part-time employees designated as three quarter-time (30 < 40 hours per week) shall accrue sick leave at a rate of 9 days (72 hours) per year, regardless of the number of hours actually worked in a pay week.
- D. Uniformed firefighters working a 52-hour schedule shall accumulate sick leave at a rate of twelve hours per month.

Section 2.2 Payment for sick leave

Employees who are separating from the city's service shall be compensated for sick leave at their regular hourly rate, accumulated to the day of separation, as follows:

- A. In the case of retirement or death of an employee, payment will be made to the employee or the employee's estate for one-fifth of the unused portion of accumulated sick leave, not to exceed a maximum of 43.5 days, as "day" is defined above in section 1.1.B.
- B. In the case of voluntary or involuntary separation from city service other than retirement or death, no payment will be made for accumulated sick leave.

III. Holiday Leave

Employees working on a regular basis shall be entitled to holiday leave with pay. The following holidays are approved by City Council: New Year's Day; Dr. Martin Luther King, Jr. Day; Good Friday; Memorial Day; Independence Day; Labor Day; Veterans Day; Thanksgiving Day; Friday following Thanksgiving Day; Christmas Day; and an additional day at Christmas. The City Manager shall designate yearly the specific date on which each holiday will be observed as the official city holiday.

In order to be paid for an official city holiday, an employee must work their assigned workday schedule before and after the holiday, or be on an approved paid leave the scheduled workdays before and after the holiday. There is no accrual for unused holiday leave.

Employees in jobs designated as non-exempt under FLSA who are required to work on an official city holiday or who are required to work his/her full workweek during a holiday week,

shall receive additional straight time pay in lieu of holiday not taken or shall receive equivalent time off.

Employees in jobs designated Vacation in Lieu of Holiday (VHOL) receive no holidays and accrue additional vacation as set forth above in Section 1.1.E.

IV. Long-Term Temporary employees with limited benefits and retirement:

Employees hired to complete a long-term assignment of more than 12 months at a minimum of 20 hours per week, but less than 30 hours per week, are eligible for Limited Benefits. Limited benefits are paid holidays and accrual of five (5) personal days annually, that do not carry over into the new calendar year. Benefits are prorated at 50% or 75% based on the work schedule. The employee shall be a member of the retirement system and the city's 401(k) plan. There is a six-month waiting period for the City contribution into the 401(k) plan.

Changes to this policy may be recommended and approved through the pay and benefits ordinance during the annual budget process.