

CLASSIFIED PERSONNELVacations/Holidays

Absent the existence of a collective bargaining agreement provision to the contrary, the following policy shall apply to classified employees.

Holidays

Employees who are in paid status the immediate work day preceding or succeeding the following holidays shall be paid their regular daily rate for such holidays:

- New Years Day (January 1)
- Martin Luther King Day
- Lincoln's Birthday
- Washington's Birthday
- Memorial Day
- Independence Day (July 4)
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Friday following Thanksgiving (in lieu of Admission Day)
- Christmas Day (December 25)
- Floating Holiday

When an above-described holiday falls on a Sunday, the following Monday shall be deemed a holiday; when an above-described holiday falls on a Saturday, the preceding Friday shall be deemed a holiday. Workday shall mean any day the central administrative offices of the Employer are open for business.

Employees who are not normally assigned to duty during the school holidays of Christmas Day and New Years Day shall be paid for those two holidays provided that they are in paid status during any portion of the working day of their normal assignment immediately preceding or succeeding the holiday period.

Floating Holiday Scheduling

A "floating holiday" is any day of the employee's choice, but which must have the immediate supervisor's written approval prior to the employee taking the day off. This holiday may be carried over for twenty-four (24) months. Time accumulated in excess of twenty-four shall be lost.

If there is any conflict between employees who are working on the same or

similar operations as to when a floating holiday shall be taken, the employee with the greatest seniority shall be given his/her preference.

Special Holidays

In addition to the above list, every day appointed by the President or the Governor of this state as provided for in subdivisions (b) and (c) of Section 37220 of the Education Code for a public fast, thanksgiving or holiday, or any day declared a holiday under Section 1318 for classified or certificated staff shall be considered a paid holiday.

Office Closure Not Deemed "Holiday"

The Superintendent of designee may close any worksite early on a normal work day (such as on Christmas Eve) or chose not to open any worksite for public business on a day that would otherwise be considered a normal work day during the year (such as on the day before Thanksgiving). Closure shall not be deemed declaratory of, nor equivalent to, a "paid holiday" for any employee. If such a closure is authorized by the Superintendent/designee, the closure time shall be considered "recess." Salaried employees, whether they chose to work or not, shall not have their wages affected by such recess. Hourly employees who are authorized to work during any recess due to closure shall be paid their regular rate of pay. Closure of the Office in any given year shall not be considered precedent setting for any succeeding year. This section shall not operate to reduce any employee's regularly assigned daily, weekly or annual hours of employment.

Vacations

Employees shall earn vacation credit on a fiscal year basis, July 1 through June 30. Vacation shall be accrued in accordance with the following schedule:

1. During the first three years of employment-10 days per year.
2. During the fourth through the seventh years of employment-15 days per year.
3. During the eighth year of employment and thereafter-20 days per year.

Employees who work less than twelve months per year and/or less than five days per week shall have their vacation accrual adjusted proportionately. Should a holiday listed in these Board policies fall during an employee's scheduled vacation period, that day shall be considered a holiday and the day shall not be deducted from the employee's vacation bank. Earned vacation does not become a vested right until completion of the probationary period.

If there is any conflict between employees who are working in the same or similar capacity/program as to when vacation shall be taken, the employee with the greatest hours of seniority shall be given his/her preference.

If an employee's vacation becomes due during a period when he/she is on leave due to illness or injury, he/she may request that his/her vacation date be changed, and the employer shall grant such request in accordance with vacation dates available at that time. The employee may elect to have his/her vacation rescheduled in accordance with the vacation schedule available at that time, or may request to carry over his/her vacation to the following year.

Vacation credit may be accumulated to a total not to exceed that which the employee could earn in two years. If this limit is reached, the employee shall be paid for any excess days during the pay period in which it is earned and at the employee's rate of pay at the time payment is made.

Exception: Unless otherwise approved by the Superintendent, classified employees working exclusively in grant funded positions and those serving as instructional aides and vocational technicians shall be paid off annually for any unused vacation earned and may not accumulate credit from one year to the next. Employees who are paid in part from grant funds and in part from regular program revenues may only carry over that portion of vacation earned from service within the regular program.

Vacation shall be taken at the convenience of the department and as workload permits. Vacations shall be authorized by the Division Assistant Superintendent or Superintendent prior to the vacation.

Monthly salaried employees whose work is aligned with the student attendance calendar (examples: instructional aides, school clerks, etc.) shall not be entitled to take scheduled work time off for vacation purposes, but shall be paid for vacation earned at the conclusion of the school year.

Hourly employees may arrange to receive their vacation pay during the winter and/or spring academic recesses or at the end of the school year in order to better equalize payroll checks for these periods of employment.

An employee terminated for any reason shall be compensated for all hours of vacation earned but not used. Should the employees have taken vacation time that has not been earned, then such time taken but not earned shall be deducted from the final pay warrant.

Personnel

Superintendent's Policy 4262(d)

Legal reference

EDUCATION CODE

37220-37223 Saturdays and holidays

45203 Paid holidays

45204 Exclusive weekend or holiday employment

45205 Holiday in lieu of specified holiday

45206 Substitute holiday

45206.5 Admission day

Policy

Adopted: October 21, 1987

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**HUMBOLDT COUNTY OFFICE OF EDUCATION
Eureka, California**