



UT System Administration Policy Library -- Policy INT148

Vacation Leave

Responsible Officer: Associate Vice Chancellor for Employee Benefits and Services

Sponsoring Office: Office of Employee Services

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Errors or changes to: policyoffice@utsystem.edu

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POLICY STATEMENT

Employees of The University of Texas System Administration (UT System Administration) who are appointed at least twenty hours per week for a period of at least four and one-half months and who are not in a position that requires student status as a condition of employment earn vacation leave beginning on the first day of eligible employment and on the first day of each succeeding month thereafter, regardless of whether they are paid on a monthly or hourly basis.

RATIONALE

To provide for administration of vacation leave.

SCOPE

All offices of UT System Administration

WEBSITE ADDRESS FOR THIS POLICY

<http://www.utsystem.edu/policy/policies/int148.html>

RELATED STATUTES, POLICIES, REQUIREMENTS OR STANDARDS

| UT System Administration Policies & Standards | Other Statutes, Policies & Standards |
|---|---|
| | <ul style="list-style-type: none"><li data-bbox="873 1688 1284 1829">• Texas Government Code, §§ 661.062-.065; § 661.067; §§ 661.091-.092; § 661.121; §§ 661.151-.153 |

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| | <ul style="list-style-type: none"> • Texas Government Code § 662.0072 |
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CONTACTS

If you have any questions about UT System Administration Policy INT 148, *Vacation Leave*, contact the following offices:

| Subject | Office Name | Telephone Number | Email/URL |
|---------------------------------------|-----------------------------|------------------|--|
| Human Resources/ Employee Benefits | Office of Employee Services | 512-499-44587 | esc@utsystem.edu |

DEFINITIONS

None

RESPONSIBILITIES

Employee

- Requests vacation leave in advance from the supervisor using a leave request form.

- Records the time away from work on the electronic timesheet as “Vacation” or “Vacation-FML”.
- Contacts their prior state agency or institution to obtain information on leave accruals if they have previous state employment.

Supervisor

- Approves or disapproves leave requests after considering department staffing requirements.
- Reviews and approves employee’s electronic timesheet.

PROCEDURES

1.1 Leave Accrual and Carry Over

An eligible full-time employee accrues vacation leave and may carry it forward from one fiscal year to the next in accordance with the schedule set by state law. See [Appendix](#).

An eligible part-time employee accrues vacation leave on a proportionate basis. The maximum amount of vacation leave a part-time employee may carry forward from one fiscal year to the next is also on a proportionate basis.

Employees are encouraged to use vacation leave during the fiscal year in which it is accrued. All unused accumulated vacation leave that may not be carried forward at the end of a fiscal year will be credited to the employee’s sick leave balance effective on the first day of the next fiscal year.

Credit for vacation leave accrual will be given on the employee’s first day of employment and on the first day of each succeeding month thereafter. An employee who works for any part of a calendar month accrues vacation leave for the entire month.

An employee’s rate of vacation leave accrual for any given month is based on his or her state employment status on the first day of the month. If an employee’s anniversary date falls on the first calendar day of the month, credit for the higher rate of vacation leave accrual is given on that day. Otherwise, the increased vacation leave accrual is given on the first calendar day of the following month.

An employee does not earn vacation leave when in an ineligible status, including when on leave without pay for an entire calendar month.

If an employee is on any type of paid leave which extends into the next month, the employee is not eligible to use leave accruals credited while on paid leave until the employee returns to duty.

An employee who goes on paid leave following his or her last day of duty then subsequently separates from employment is not entitled to leave accruals while on such paid leave for any calendar month(s) following the month in which the last day of duty occurred.

1.2 Entitlement to Vacation Leave

An employee may not take vacation leave until he or she has been employed with the state for six continuous months, although vacation leave will be accrued during that period. Continuous employment means that the employee is paid a regular state salary for the period. Continuity of employment is not interrupted if the employee is placed on leave without pay for less than one calendar month; but a full calendar month of leave without pay does not count toward state service or vacation accrual.

An employee who has completed six months or more of continuous state employment and then leaves state employment is entitled to take vacation leave as it is earned upon reemployment in an eligible position.

1.3 Payment or Transfer of Vacation Leave When an Employee Separates from Employment

An employee who at any time worked for the state for at least six continuous months and who separates from state employment for any reason is entitled to be paid for the balance of accrued vacation leave as of the date of separation, under the following conditions:

- a) the employee separates from a position at UT System Administration in which vacation leave is granted.
- b) the employee moves from a position within UT System Administration that accrues vacation leave to another internal position that does not accrue vacation leave. UT System Administration may agree to pay the employee for the accrued vacation balance. Normally, such payments will be made only under unusual circumstances where the payment is deemed to be in the best interest of UT System Administration. A holiday that falls after the date of separation from the position that is vacation leave-eligible is not paid to the employee. When an employee moves to an ineligible position and is not paid vacation leave, the accrued time is frozen until the employee becomes eligible again or separates employment.
- c) the employee moves from a position at a state agency that accrues vacation leave to a position at another state agency that does not accrue vacation leave. Payment must be made by the last employer if the receiving employer refuses to credit the employee for the balance of the employee's vacation leave as of the date of the move. A holiday

that falls after the date of separation from the position that is vacation leave-eligible is not paid to the employee; or

d) the employee holds two or more positions and separates from one that accrues vacation leave.

An employee may, with the agreement of UT System Administration, be allowed to remain on the payroll after the last day worked to use vacation leave in lieu of being paid in a lump sum. In this circumstance, the employee will continue to receive all compensation and benefits that the employee was receiving on the last day of duty, including paid holidays, longevity, and/or hazardous duty pay. The employee will not receive leave accruals during this period.

An employee who is paid for vacation leave upon separation will be credited for any holiday that falls within the period after the date of separation and the last date of the period in which the employee would have used the leave had the employee remained on the payroll.

Lump sum payments to employees will be computed based on the rate of compensation on the last date of employment. An employee who transfers from an eligible to an ineligible position and then terminates employment will be paid based on the rate of compensation in the eligible position.

Lump sum vacation payments will not include hazardous duty or longevity pay but will include any emoluments received in lieu of pay, such as car or housing allowances.

An employee transferring from one state agency to another without a break in service will have his or her accrued but unused vacation leave balance transferred.

In the case of the death of an employee who has an accrued vacation leave balance after six months of continuous employment, his or her estate will be paid for all of the accumulated vacation leave. The payment shall be calculated at the rate of compensation being paid the employee at the time of death.

1.4 Negative Leave Balances

Negative leave balances are not permitted and cannot be carried over from one calendar month to the next. An employee must be placed on leave without pay for any unearned leave taken. Upon separation, any unearned vacation leave taken by the employee will be deducted from the employee's final paycheck. The employee will be placed on leave without pay at the end of employment in order to have deductions made for overdrafts of vacation leave.

1.5 Return To Work Retirees

A state employee who retired from state employment before 6/1/2005 and returns to state employment before 9/1/2005 will accrue vacation leave at the same rate the employee was entitled to receive immediately before 9/1/2005.

A state employee who retired from state employment on or after June 1, 2005 and returned to state employment on or after 9/1/2005 will accrue vacation leave based on the length of state service since returning to work.

2. PROCEDURES

2.1 Employee requests vacation leave in advance from the supervisor using a leave request form.

2.2 Supervisor approves or disapproves leave requests after considering department staffing requirements.

2.3 Employee records the time away from work on the electronic timesheet as “Vacation” or “Vacation-FML”.

2.4 If an employee has previous state employment, the employee contacts their prior state agency or institution to obtain information on leave accruals.

FORMS AND TOOLS / ONLINE PROCESSES

None

APPENDIX

Vacation Leave Accrual Rate & Maximum Allowable Carryover

| Length of State Service | # Hours Accrued Per Month | Allowable Carryover |
|------------------------------------|--|--------------------------------|
| Less than 2 years | 8 | 180 |
| At least 2 but less than 5 years | 9 | 244 |
| At least 5 but less than 10 years | 10 | 268 |
| At least 10 but less than 15 years | 11 | 292 |
| At least 15 but less than 20 years | 13 | 340 |
| At least 20 but less than 25 years | 15 | 388 |

| | | |
|------------------------------------|----|-----|
| At least 25 but less than 30 years | 17 | 436 |
| At least 30 but less than 35 years | 19 | 484 |
| At least 35 years or more | 21 | 532 |

Keywords: vacation leave, leave, vacation, vacation time, time off, absence, HR, human resources
