

Vacations (Annual Vacation Leave)

Accrual and Eligibility to use Vacation Leave

All classified employees, except those in a temporary status, serving in the Bigfork Public Schools for more than six months are eligible to earn vacation leave credits retroactive to the date of employment in accordance with 2-18-611, MCA, and 2-18-612, MCA. In accordance with 2-18-611(5), MCA, temporary employees are excluded from earning annual vacation leave, except that a temporary employee who is subsequently hired into a permanent position within this district without a break in service and temporary employees who are employed continuously longer than six months, shall earn retroactive vacation leave credits for the preceding continuous period of temporary employment.

An employee must be continuously employed in the district for a qualifying period of six calendar months to be eligible to use annual vacation leave. Unless there is a break in service, an employee is only required to serve the qualifying period once. After a break in service, an employee must again complete the qualifying period to be eligible to use annual vacation leave. Leave credits may not be advanced nor may leave be taken retroactively.

A seasonal employee's accrued vacation leave credits may be carried over to the next season, if management has a continuing need for the employee, or paid out as a lump-sum payment to the employee when the season contract ends (generally in June). The employee may request a lump sum payment at the end of each season.

A person simultaneously employed in two or more positions within the district will accrue vacation leave credits in each position according to the number of hours worked, unless one of the positions is a certified or otherwise non-exempt position. However, a person may not accumulate annual vacation leave in a pro-rated amount that would exceed that available to a 40-hour per week employee. Hours in a pay status at the regular rate will be used to calculate leave accrual. Vacation leave credits will not accrue for those hours exceeding 40 hours in a work week that are paid as overtime hours or are recorded as compensatory time hours. A full-time district employee shall not earn less than nor more than the full-time annual leave accrual rate provided by § 2-18-612, MCA. As provided in 2-18-611 (4), MCA, "An employee may not accrue annual vacation leave credits while in a leave-without-pay status.

Calculating Annual Vacation Leave

As provided in 2-18-612 MCA, "Vacation Leave credits are earned at a yearly rate calculated in accordance with the following schedule, which applies to the total years of an employee's employment with any agency, whether the employment is continuous or not." For purposes of interpreting this paragraph, "Agency" means, as provided in 2-18-601(1), MCA, "Any legally constituted department, board, or commission of state, county, or city government, or any political sub-division thereof."

<u>RATE EARNED SCHEDULE</u>	
<u>Years of Employment</u>	<u>Working Days Credit per Year</u>
1 day - 10 years	15
10 - 15	18
15 - 20	21
20 years on	24

In accordance with 2-18-601, MCA, time as an elected state, county or city official, as a school teacher or as an independent contractor, does not count toward the rate earned. For purposes of this paragraph, an employee of a school district or the university system is eligible to have school district or university employment time count toward the rate earned schedule if that employee was eligible for annual leave pursuant to 2-18-601, MCA, in the position held with the school district or university system.

Maximum Accrual of Vacation Leave

In accordance with 2-18-617(1), MCA, all full-time and part-time employees serving in permanent and seasonal positions may accumulate two times the total number of annual leave credits they are eligible to earn per year, according to the rate earned schedule.

Cash Compensation for Unused Vacation &Rate of Salary Compensation

District #38 will provide the option of compensating for unused vacation leave (Notice to Clerk by May 20 to be paid with June payroll).An employee on authorized vacation leave will be entitled to the employee's normal gross salary.

Vacation Leave Requests

The dates when employee's annual vacation leave shall be granted shall be determined by agreement between each employee and the district, with regard to the best interests of the district and the employee. Where the interest of the district requires the employee's work or attendance at duties, the district's interests overrides the employee's interest.

An employee of the district requesting vacation shall complete a "Request for Leave" form in advance and shall submit that form to his/her designated supervisor who shall review and approve or disapprove and forward if approved to the personnel office or the next administrative tier as indicated on the form (as in the case of food service, special education, etc.)

Generally 180 day (9 1/4 or 10-month employees will be granted vacation during the school term during certain times when workloads are more flexible and/or substitutes need not be hired except for compelling reasons.

Vacation leave credits in the Bigfork Public Schools must be taken in minimum increments of 1/2 of scheduled shift (i.e. 4 hours for an 8 hour employee).

Vacation Leave Records

An employee's vacation leave credits earned and vacation leave credits used must be recorded by the personnel/payroll control system. Approval is made on the "Request for Leave" form, and this form is reconciled to the time sheet. Adjustments to an employee's accrual and used totals are then made. A monthly report of vacation credits will be made to each employee included in their pay stub.

Absence Due to Illness

As provided in 2-18-615, MCA, "Absence from employment by reason of illness shall not be chargeable against unused vacation leave credit unless approved by the employee."

Lump-Sum Payment Upon Termination

As provided in 2-18-617(2), MCA, "An employee who terminates his/her employment for reasons not reflecting discredit on him/herself shall be entitled upon the date of such termination to cash compensation for unused vacation leave, assuming that the employee has worked the qualifying periods set forth in 2-18-611."

The district shall not pay accumulated leaves to employees who have not worked the qualifying period.

The value of unused vacation leave is computed based upon the employee's salary rate at the time of termination.

Procedure History:

Promulgated on:

Revised on: