

## UNIVERSITY POLICY

<b>Policy Name:</b>	Vacation for Staff in FOP Units (See policy 60.3.10 for all other Non-Academic Employees vacation policy.)				
<b>Section #:</b>	60.3.20	<b>Section Title:</b>	Human Resources (HR): Non-Academic Employees	<b>Formerly Book:</b>	
<b>Approval Authority:</b>	Senior Vice President for Human Resources and Organizational Effectiveness		<b>Adopted:</b>	07/01/2010	<b>Reviewed:</b> 02/26/2020
<b>Responsible Executive:</b>	Senior Vice President for Human Resources and Organizational Effectiveness		<b>Revised:</b>	09/18/2013 (Updated title and Section 3); 02/26/2020	
<b>Responsible Office:</b>	University Human Resources		<b>Contact:</b>	<a href="mailto:policies@hr.rutgers.edu">policies@hr.rutgers.edu</a>	

### 1. Policy Statement

Regularly appointed aligned staff members earn vacation on a monthly basis in accordance with the “Accrual of Vacation Allowance” schedules stated in this policy.

### 2. Reason for Policy

To provide definitions and address vacation accrual, usage of earned time, status changes, carryover, and separation from the University.

### 3. Who Should Read This Policy

This policy is applicable only to employees in legacy Rutgers positions. A legacy Rutgers position is a position which, historically, was associated with Rutgers University before June 30, 2013. These positions may be governed by different negotiated agreements and policies from those that would be applicable to individuals in legacy University of Medicine and Dentistry of New Jersey (UMDNJ) positions. In this regard, individuals employed in legacy Rutgers positions may be eligible for different non-State benefits than individuals who hold legacy UMDNJ positions.

This policy is for staff in these employee units: Fraternal Order of Police – Primary Unit (FOP – P), and Fraternal Order of Police – Superior Officers Association (FOP – S).

### 4. Resources

- a. [Absence Reporting System overview](#)
- b. [Absence Reporting System access](#)
- c. [University Policy 60.3.10: Vacation for Staff Members \(Excludes FOP Units\)](#)

### 5. Definitions

N/A

## 6. The Policy

### I. General

Regularly appointed staff members earn vacation on a monthly basis in accordance with the "Accrual of Vacation Allowance" schedules below. Vacation earned in one fiscal year is to be used the following fiscal year.<sup>1</sup> At the end of the fiscal year, all available, unused vacation is forfeited unless approved by the supervisor as explained in section B below. In the case of extended absence beyond the number of days available, salary adjustments must be made. See section V. Borrowing of Vacation Time.

Any vacation time taken must be recorded in the Absence Reporting System as "V."

### II. Definitions

#### A. Current Year's Allowance:

This is defined as the time that an employee has available for use in the current fiscal year, having earned it in the preceding fiscal year. The Current Year's Allowance does not include any remaining time that was carried forth into the current fiscal year from the Prior Year's Allowance.

#### B. Prior Year's Allowance:

This is defined as the vacation time that the employee had available for use in the prior fiscal year, which was earned in the fiscal year prior thereto.

### III. Accrual of Vacation Allowance

Regularly appointed staff members accrue vacation days for each full calendar month worked; the number of days accrued depends on the employee's status at the time of accrual. Vacation days are accrued in one fiscal year for use the following fiscal year. Employees who are on leaves of absence without salary do not earn vacation time during each full calendar month of absence, except that employees who are on leaves of absence due to injuries occurring in the course of and arising out of employment at Rutgers will continue to earn vacation until workers' compensation payments cease.

Full-time 10-month staff employees accrue vacation on the same per-month-worked basis as full-time 12-month employees.

Part-time staff employees accrue vacation on the same basis as full-time staff except that it is prorated according to the percentage of time appointed.

#### A. Vacation Accruals in the First Year of Employment:

1. Employees who start work on the first working day in July accrue 1.25 days for each full calendar month worked during that fiscal year.
2. Employees who start work after the first working day in July accrue one day of vacation for each full calendar month worked during the remainder of that fiscal year.

#### B. Vacation Accruals During Subsequent Fiscal Years:

Increases in vacation accruals are based on an employee's actual years of service in conjunction with his or her workweek classification. See paragraph III.C for examples of how to calculate accruals in these "break" years.

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<sup>1</sup> A fiscal year is the period from July 1 through June 30.

1. 35-, 37.5 (NE)- and 40-hour Fixed Workweek Classifications. (See also paragraph III.B.2 below regarding the NE classification.)
  - a. Accrue 1.25 days per full month worked through the completion of the number of years of service as specified by the current contract of the bargaining unit. When such an anniversary occurs during a fiscal year, the employee accrues at the 1.25 rate through the anniversary month and at a rate of 1.66 days per full month worked for the remainder of that fiscal year.
  - b. Accrue 1.66 days per full month worked from the first anniversary milestone date through the completion of the number of years designated as the second anniversary milestone by the current contract of the bargaining unit. When such an anniversary occurs during a fiscal year, the employee accrues the 1.66 rate through the anniversary month and at a rate of 2.10 days (American Federation of State, County, and Municipal Employees (AFSCME) Local 888 and 1761 accrue at 2.0 days) per full month worked for the remainder of that fiscal year.
  - c. Accrue 2.10 days per full month worked after the completion of the second anniversary milestone years of service to a maximum of 25 days in the fiscal year.
2. NE (37.5-hour) Fixed Workweek Classification:
  - a. Persons hired into or transferred into the NE classification after April 15, 1986: Follow the vacation allowance for 37.5-hour workweek classification. (see paragraph III.B.1 above).
  - b. Persons who were changed from the NL to the NE classification on April 15, 1986: Follow vacation allowance for the NL classification in paragraph III.B.3 below.
3. NL Classification:
  - a. Accrue 1.25 days per full month worked through the completion of four years of service. When such four-year anniversary occurs during a fiscal year, the employee accrues at the 1.25 rate through the anniversary month and at a rate of 1.66 per full month worked for the remainder of that fiscal year.
  - b. Accrue 1.66 days per full month worked from the four-year anniversary date through the completion of 19 years of service. When such 19-year anniversary occurs during a fiscal year, the employee accrues at the 1.66 rate through the anniversary month and at a rate of 2.10 per full month worked for the remainder of that fiscal year.
  - c. Accrue 2.10 days per full month worked after the completion of 19 years of service to a maximum of 25 days in the fiscal year.

C. How to Calculate the Accrual Rate in "Break" Years:

1. An employee in a 35-hour fixed workweek title who completes 10 years of service on October 10 will accrue 1.25 days per month for July, August, September, and October (5 days), and will accrue 1.66 days per

month for November through June 30 (13.28 days). On July 1, the employee will have accrued 18.28 days.

2. An employee in a title designated "NL" who completes 19 years of service on April 1 will accrue 1.66 days per month from July through March (14.94 days), and will accrue 2.1 days per month for April through June 30 (6.3 days). On July 1, the employee will have accrued 21.24 days.

#### **IV. Usage**

Vacations must be scheduled at the convenience of each department according to departmental work requirements. Requests for vacations shall not be unreasonably denied. Any vacation time taken must be recorded in the Absence Reporting System as vacation time is used.

When a University holiday falls within an approved vacation period, it is not counted as a vacation day. This provision does not apply to vacation allowances paid upon resignation, termination, death, or retirement. If an employee becomes ill or injured for five or more days while on vacation, the employee may request that the portion of vacation during which he or she was ill be charged to sick leave instead of vacation provided that the employee submits acceptable evidence of illness or injury.

#### **V. Borrowing of Time**

An employee is not allowed to "borrow" vacation time in anticipation of future accruals.

#### **VI. Carryover**

A maximum of the number of days equivalent to the staff member's current year's vacation accrual may be carried forward into the succeeding year. No employee will be able to carryover more than his or her accrual rate. The balance of unused vacation time beyond the allowed carryover as set forth above will be subject to forfeiture.

#### **VII. Separation from the University**

##### **A. Resignation or Termination**

A lump-sum payment is made for unused vacation at the time of separation from University employment. Eligible employees are entitled to payment for the unused portion of the vacation allowance earned in the preceding fiscal year, including any approved amount carried forth from the prior year, plus the amount of vacation accrued on a pro rata basis for each full calendar month worked in the fiscal year in which separation occurs. Employees must work through the last working day of the month in order to receive vacation credit for that month. No additional days are given for holidays which may occur after the final day of actual work.

##### **B. Retirement**

All vacation time must be exhausted prior to the effective date of retirement (e.g., if an employee's retirement is effective June 30, he or she must take all of his or her earned and projected vacation prior to that date; it cannot extend beyond June 30). In exhausting all available time, if a holiday falls within the vacation period, it is not counted as a vacation day.

In limited circumstances, when it is not possible due to the operational needs of a department for an employee to exhaust all vacation time prior to the effective date of retirement, the employee will be paid all remaining accrued vacation.

Eligibility for such payment is subject to approval of the appropriate University vice president or chancellor.

C. Death of Employee

It is the policy of the University to authorize payment for unused vacation time of a deceased employee who has been a regularly employed staff member. Such payment shall be for any accrued unused vacation. No additional days are given for holidays which may occur after the date of death.

**VIII. Status Changes**

A. From Staff to Faculty:

An individual whose status changes from staff to faculty must always take all allowable accrued vacation prior to the change to faculty status. No vacation can be carried over to the faculty appointment and no payments in lieu of vacation time not taken are permitted without prior approval of the appropriate University vice president or chancellor.

From Faculty to Staff:

An individual whose status changes from faculty to staff will be granted a full year's vacation accrual based on the employee's date of hire and workweek classification.

B. From Part-time to Full-time and from Full-Time to Part-Time:

When a staff member's status changes from full-time to part-time or part-time to full-time, the Absence Reporting System will calculate (prorate for part-time) the monthly accrual based on the new percentage rate for the remainder of the fiscal year, expressed as the full-time equivalent.

1. Part-time to Full-time Example: An employee was 50% from July 1 through December 31 (six months), changes to 100% January 1 through June 30 (six months).

6 months X 1.25 @ 50% = 3.75 full-time days  
6 months X 1.25 @ 100% = 7.5 full-time days  
Total accrual = 11.25 full-time days

2. Full-time to Part-time Example: An employee was 100% from July 1 through January 31 (seven months), changes to 60% February 1 through June 30 (five months).

7 months X 1.25 @ 100% = 8.75 full-time days  
5 months X 1.25 @ 60% = 3.75 full-time days  
Total accrual = 12.5 full-time days

**IX. Interpretation and Exceptions of Policy**

Questions regarding vacation accrual for staff members should be directed to University Human Resources.

Always refer to the appropriate collective negotiations agreements for any differences in the above policy.

Exceptions to any provisions within this policy may be granted only by the Senior Vice President for Human Resources and Organizational Effectiveness or his or her designee.