# Article 11

# Vacation Leave

**11.1** Employees will retain and carry forward any eligible and unused vacation leave that was accrued prior to the effective date of this Agreement.

## 11.2 Vacation Leave Credits

Employees will be credited with vacation leave accrued monthly, according to the rate schedule and vacation leave accrual below.

## 11.3 Vacation Leave Accrual

Full-time employees will accrue vacation leave according to the rate schedule below under the following conditions:

A. Employees working less than full-time schedules will accrue vacation leave on the same proportional basis that their appointment bears to a full-time appointment.

B. Vacation leave will not accrue during leave without pay that exceeds ten (10) working days in any calendar month, nor will credit be given toward the rate of vacation leave accrual except during military leave without pay.

C. The scheduled period of cyclic year position leave without pay will not be deducted for purposes of computing the rate of vacation leave accrual for cyclic year employees.

D. Vacation leave accruals for the prior calendar month will be credited and available for employee use the first of the next calendar month.

## 11.4 Vacation Leave Accrual Rate Schedule

| **Full Years of Service** | **Monthly Rates** | **Hours Per Year** |
| --- | --- | --- |
| During the first, second, third, and fourth years of continuous state employment | 11 hours, 20 minutes, 20 minutes | One hundred thirty- six (136)\* ) |
| employment\* |  |  |
|  |  |  |
| During the fifth and sixth years of total state employment | 11 hours, 20 minutes | One hundred thirty-six (136) |
| During the seventh, eighth and ninth years of total state employment | 12 hours | One hundred forty-four (144) |
| During the tenth, eleventh, twelfth, thirteenth and fourteenth years of total state employment | 13 hours, 20 minutes | One hundred sixty (160) |
| During the fifteenth, sixteenth, seventeenth, eighteenth and nineteenth years of total state employment | 14 hours, 40 minutes | One hundred seventy-six (176) |
| During the twentieth, twenty-first, twenty-second, twenty-third, and twenty-fourth years of total state employment | 16 hours | One hundred ninety-two (192) |
| During the twenty-fifth year of total state employment | 16 hours, 40 minutes | Two hundred (200)\* |

\* The provisions related to the first four years of vacation leave is for the biennium contract beginning July 1, 2023 and will expire on June 30, 2025 unless agreed to in subsequent successor negotiations.

## 11.5 Vacation Scheduling for 24/7 Operations

Vacation requests will be considered on a first come, first served basis. In the event that two (2) or more employees request the same vacation period, the supervisor may limit the number of people who may take vacation leave at one time due to business needs and work requirements.

## 11.6 Vacation Scheduling for All Employees

A. Vacation leave will be charged in the amount actually used by the employee.

B. When considering requests for vacation leave the Employer will take into account the desires of the employee but may require that leave be taken at a time convenient to the Employer. The Employer may provide notice to employees when anticipated staffing needs may result in minimal approval of vacation leave requests.

C. An employee will not request or be authorized to take scheduled vacation leave if they will not have sufficient vacation leave to cover such absence at the time the leave will commence.

D. Vacation leave will be approved or denied as soon as possible, but in no case more than ten (10) calendar days of the request. If the leave is denied, a reason will be provided in writing.

## 11.7 Family Care

Employees may use vacation leave for care of family members as required by the Family Care Act, [WAC 296-130](http://apps.leg.wa.gov/WAC/default.aspx?cite=296-130).

## 11.8 Military Family Leave

Employees may use vacation leave for leave as required by the Military Family Leave Act, [RCW 49.77](http://apps.leg.wa.gov/RCW/default.aspx?cite=49.77) and in accordance with [Section 19.14.](#_19.13_Military_Family)

## 11.9 Domestic Violence Leave

Employees may use vacation leave for leave as required by the Domestic Violence Leave Act, [RCW 49.76](http://apps.leg.wa.gov/RCW/default.aspx?cite=49.76).

## 11.10 Use of Vacation Leave for Sick Leave Purposes

The Employer may allow an employee who has used all of their sick leave to use vacation leave for sick leave purposes as provided in [Subsection 12.2](#_Article_12_Sick) A. An employee who has used all of their sick leave may use vacation leave for sick leave purposes as provided in [Subsections 12.2](#_Article_12_Sick) B – H.

## 11.11 Emergency Childcare

Employees may use vacation leave for childcare emergencies after the employee has exhausted all of their accrued compensatory time. Use of vacation leave and sick leave for emergency childcare is limited to a combined maximum of five (5) days per calendar year.

## 11.12 Vacation Cancellation

Should the Employer be required to cancel scheduled vacation leave because of an emergency or exceptional business needs, affected employees may select new vacation leave from available dates. In the event the affected employee has incurred non-refundable, out-of-pocket vacation expense, the employee will normally be reimbursed by the Employer, if the Employer had previously approved the employee’s vacation leave request and if the employee has an adequate leave balance at the time of the vacation to take the vacation.

## 11.13 Vacation Leave Maximum

Employees may accumulate maximum vacation leave balances not to exceed two hundred and forty (240) hours. However, there are three (3) exceptions that allow vacation leave to accumulate above the maximum:

A. If an employee’s request for vacation leave is denied by the Employer, and the employee is close to the vacation leave maximum, the Employer will grant an extension for each month that the Employer must defer the employee’s request for vacation leave.

B. An employee may also accumulate vacation leave days in excess of two hundred and forty (240) hours as long as the employee uses the excess balance prior to their anniversary date. Any leave in excess of the maximum that is not deferred in advance of its accrual as described above, will be lost on the employee’s anniversary date.

C. When an employee reaches a balance of more than three hundred (300) hours, the supervisor may work with the employee to schedule leave until the leave balance falls below three hundred (300) hours.

##  Separation

Any employee, who has been employed for at least six (6) continuous months will be entitled to payment for vacation leave credits when they:

A. Resign,

B. Retire,

C. Are laid-off, or

D. Are terminated by the Employer.

In addition, the estate of a deceased employee will be entitled to payment for vacation leave credits.