

	<h1 style="color: blue;">City of Helena</h1> <h2 style="color: blue;">Personnel Policy</h2>	Policy number	3-1
		Original Adoption	02-09-1987
		Revision #	9
		Last revision date	January 2016
Section Title	Employee Leave Administration		
Subject	Vacation Leave		

Eligible Employees

- Regular Full-Time
- Regular Part-Time (hours earned pro-rated)
- Long-term Temporary Full-Time
- Long-term Temporary Part-Time (hours earned pro-rated)

Hours of work for above employees must be pre-scheduled to be eligible to earn vacation leave credits.

Calculation of Vacation Leave Credits

Earned vacation leave credits are calculated as follows for Regular, full time employees:

Years of Employment	Days Earned Per Year (8 hrs/day)	Maximum Total Hours Earned Per Year	Hours Earned, first two pay periods of each month
1 day – 10 yrs	15	120	5
10 yrs – 15 yrs	18	144	6
15 yrs – 20 yrs	21	168	7
Over 20 yrs	24	192	8

Employees working less than 2080 hours will receive a prorated amount every payday based on the number of hours paid during that pay period. Employees working more than 2080 hours per year will not be credited with more than the maximum total hours of vacation earned in accordance with the table above.

Employees begin earning leave credits the first day of employment in a job which has pre-scheduled hours to work. Vacation leave credits earned will be credited at the end of each pay period and may not be used until the start of the next bi-weekly pay period.

Credit for Time Worked with Other Agencies

According to state law, §2-18-612, MCA, vacation leave credits must be calculated based on the total years of employment with any City, County, School District or State agency in Montana, including the Montana National Guard. Federal service is not creditable. A letter from the employee's former agency certifying the time worked must be submitted to the Human Resources Office to receive credit for prior time. Changes in accumulation rates will begin only upon receipt of verifying information.

The employee must have been eligible to earn leave at the former agency in order to have the time counted.

Qualifying Work Period

An employee must be continuously employed for the qualifying period of 6 calendar months to be eligible to use 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. "Break in service" is a period of time in excess of forty (40) continuous hours when the person is not employed with the City of Helena.

Vacation Leave Requests

Employees must arrange the times for taking vacation leave in advance with their supervisor. Where the interest of the City requires the employee's attendance, the City's interest overrides the employee's. Leave credits may not be advanced nor may leave be taken retroactively.

Expending Accrued Vacation Credits

Vacation leave credits will be expended on an "hour for hour" basis in no less than quarter (1/4) hour increments. Employees on shifts longer or shorter than 8 hours will be charged for the actual number of work hours taken off.

Effect of Extended Leave of Absence Without Pay on Qualifying Work Period

If an employee has not worked the qualifying period of 6 months and takes an approved continuous leave of absence without pay exceeding one hundred and twenty (120) working hours, the amount of time on leave of absence will not count toward completion of the qualifying period. The leave of absence exceeding one hundred and twenty (120) working hours is not a break in service and the employee will not lose any accrued annual leave credits or lose credit for time earned toward the qualifying period accrued before the leave occurred. An approved continuous leave of absence without pay of one hundred and twenty (120) working hours or less will be counted as time earned toward the six (6) month qualifying period.

Maximum Accrual of Vacation Leave Credits

Any accrued vacation in excess of twice the employee's annual rate of accrual (see graph below) as of the end of the first pay period of the next calendar year will be forfeited if not taken within 90 calendar days following December 31. Human Resources will send out the notifications after the applicable pay period is processed. Employees must make a written request to their supervisor no later than January 31st to use the excess prior to March 31st. If the supervisor has not received a request by January 31st, they should meet with the employee as soon as possible to schedule time off prior to the March 31st date. However, if the employee makes a reasonable written request by January 31st to use the excess hours prior to March 31st, and is denied the time off and other dates are unable to be scheduled off (supervisors do have the right to require an employee to make an alternative choice); with the City Manager's approval, the employee will have until the end of the calendar year to use the excess vacation. (§2-18-617 (1b), MCA).

Employees may donate excess vacation that will be forfeited to a non-refundable sick leave pool. The employee would follow the donation of sick leave policy to request pooled time. Employees donating to the excess sick leave pool are not guaranteed entitlement to the balance.

Years of Employment	Maximum based on FT (PT will be prorated)
1 day – 10 yrs	240
11 yrs – 15 yrs	288
16 yrs – 20 yrs	336
Over 20 yrs	384

Lump-Sum Payment upon Termination

An employee who is separated from the service of the City for reason(s) not reflecting discredit on himself/herself shall be entitled, upon the date of termination, to cash compensation for unused vacation leave. Compensation will be based on the employee's salary at the time of termination, assuming that the employee has worked the qualifying period of six (6) months.

The City is under no obligation to extend an employees' termination or discharge date to allow an employee to take off accrued vacation time.