



## VACATION POLICY

*Dated: September 23, 2016*

*Supersedes: HR.303 Policy on Vacation Accruals dated May 14, 2016*

### **I. Purpose**

To establish guidelines for employees to receive vacation days with pay.

### **II. Policy**

It is the Policy of New York Medical College to provide eligible employees with annual vacation in recognition of their length of continuous service and position responsibility.

### **III. Scope**

This Policy applies to all College regular full-time and regular part-time faculty and non-union staff.

### **IV. Definitions**

- A. *Vacation* - Scheduled accrued paid absence(s) from work.
- B. *Vacation Balance* - amount of accrued unused vacation hours an employee is entitled to use during their active employment or to receive as payout upon termination or relocation to another department, as per guidelines of this Policy.
- C. *Vacation Bank* - amount of excess unused vacation hours that is not carried forward into the vacation balance. Employees shall not be entitled to any payment for any vacation hours in the vacation bank upon termination or relocation to another department. In addition, any unused vacation hours in the vacation bank shall be forfeited if not used by the end of fiscal year.

### **V. Procedure**

#### **A. Accrual of Vacation Leave**

1. Vacation is earned based on a fiscal year that extends from July 1 through June 30.

2. The vacation benefit for regular full-time employees is as follows:

<i>Employee Classification/Period of Service</i>	<i>Number of Days Accrued Each Fiscal Year</i>
Officers, Faculty, Exempt I/Each Year	23 days
Exempt/Each Year	20 days
Non-Exempt/1 <sup>st</sup> and 2 <sup>nd</sup> Years	10 days
Non-Exempt/3 <sup>rd</sup> Year	15 days
Non-Exempt/4 <sup>th</sup> Plus Years	20 days

3. For regular full-time employees, vacation benefit accrues on a bi-weekly basis according to the number of hours actually paid to a maximum of the regular scheduled hours during the bi-weekly period.
4. Regular part-time employees accrue vacation leave bi-weekly, on a pro-rated basis.
5. No vacation accrues for any period during which long-term disability benefits are received or payable or for periods of leave without pay.
6. For those employees who, because of length of service, receive additional amounts of vacation on employment anniversary dates, will accrue vacation based on the appropriate anniversary date.

B. Maximum Vacation Accumulation

1. Vacation shall be taken during each fiscal year. Unused vacation, up to one-half the current annual vacation benefit may be carried forward on July 1 into your vacation balance, for up to one year.
2. The excess of the one-half the current annual vacation benefit will automatically be carried forward on July 1 into the vacation bank and the prior year vacation bank balance will be forfeited.

C. Utilize and Scheduling of Vacation

1. Vacations shall be scheduled on a fiscal year basis (July 1 through June 30). Each department head/administrator/chairperson shall be responsible for reviewing monthly leave reports, scheduling vacations and ensuring that vacation benefits are fully utilized during the year to which they are earned for all members of the department. Vacation time not used is first carried over to vacation balance and the excess is carried over to the vacation bank to be used in the upcoming fiscal year, as provided in section B. 2 above.
2. For all regular full-time and regular part-time employees, a six month waiting period commencing from date of employment must be fulfilled prior to taking any vacation accrued.
3. After six months and up to the remainder of one year, a College employee shall take only vacation earned.

D. Use of Vacation Supplement

In the event that an employee is receiving partial pay or no pay when they are on short-term disability, the employee may request that vacation be used to supplement their unpaid hours. This time is recorded on the timesheet as vacation supplement.

E. Termination of Employment

1. For purposes of this provision, termination includes voluntary resignation, involuntary termination, retirement, and long-term disability where the period of long-term disability could, in the judgment of the Director of Human Resources, be expected to last for one year or longer.
2. If termination occurs within the first six months there will be no payment for any accrued vacation.
3. Vacation taken in the first six months but not earned will be deducted from the final paycheck as recovery of unearned compensation.
4. Accrued Vacation Upon Termination

- a. Employees employed for at least six months, not paid through restricted funds (grants, designated purpose or faculty practice) or affiliation contracts, upon termination will receive a lump-sum payment at their current rate of pay for their accrued vacation balance. Payment will not exceed the maximum vacation accumulation of one and one-half times the current annual entitlement for regular full-time and regular part-time employees. There is no payout of any vacation bank hours.
  - b. Employees paid through the restricted funds (grants, designated purpose or faculty practice) and/or affiliation agreements for either all or part of their salaries may not receive a payout of accrued vacation at termination, and every effort should be made to use vacation prior to termination.
5. No vacation may be taken after the last actual day of regularly scheduled work prior to termination.
  6. A notation regarding accrued vacation, conforming to College policy, must be included on the terminating **Personnel Action Form (PAF) (HR-101)** form in order that proper adjustments may be made to an employee's final paycheck.

F. Transfer of Vacation

1. When an employee transfers from one department or one location to another within the College, vacation balances will be handled with one (1) of the following options as determined by the College:
  - a. Pay out all eligible unused vacation to a maximum of one and one-half times the annual benefit. If this option were selected, the College member would start at the receiving department with a zero vacation balance.
  - b. Pay out a portion of accrued vacation balance at time of transfer and carry-over the remainder, as agreed upon by the Hiring Department.
  - c. Carry over all accrued vacation balance to a maximum of one and one-half times the annual accrual to the receiving department.

**Note:** When option a. is selected it must be discussed with the employee prior.

Options b. and c. above will require agreement with the receiving department.

G. Hospitalization During Vacation

If an individual is hospitalized while on scheduled vacation, the vacation will cease on the day he/she enters the hospital, and the remainder of said vacation will be rescheduled at a later time. Illness during vacation, not requiring hospitalization is considered vacation leave.

H. Holidays During Vacation

Employees will not be charged for vacation when a recognized paid holiday falls within their vacation period.

**VI. Effective Date**

This Policy is effective as of the date signed below.

**VII. Policy Responsibility**

A. Employees

1. Prior to requesting vacation, review vacation balance to assure sufficient time is available.
2. Give reasonable advance notice when requesting vacation time.
3. Obtain Supervisor's approval before using vacation time.
4. Record vacation hours taken on the timesheet under vacation bank to reduce vacation bank hours. If vacation bank hours are exhausted, then the hours will be charged to your regular vacation balance.

B. Supervisors/Administrators

1. Schedule employee vacations annually throughout the fiscal year to assure that there is no more than the allowable carry-over remaining at fiscal-year-end.

2. Make certain the department has adequate employee coverage.
3. Verify the leave balance in the time entry portal to make sure that the employee has adequate vacation time before providing approval.
4. Ensure that each employee's vacation hours are recorded on the electronic payroll timesheets.
5. Review the leave balance in the portal for accuracy and maintain a copy of the Leave Reports.

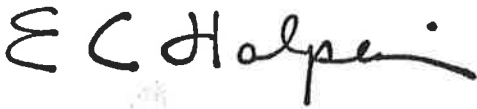
C. Human Resources Department

1. Provide advice and guidance with respect to the interpretation and administration of this Policy.
2. Document accrued vacation balance on termination PAF's for payout.
3. Approve the electronic timesheet for the employee if the supervisor is unavailable and then must get supervisor's authorization.

**VIII. Policy Management**

Responsible Officer: Vice President of Operations  
Responsible Executive: Director, Human Resources  
Responsible Offices: Human Resources Department

APPROVED:



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Edward C. Halperin, M.D., M.A.  
Chancellor for Health Affairs and  
Chief Executive Officer

9-23-16

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Date