



## HUMAN RESOURCES OFFICE

### *Canyon County, Idaho*

*Kate Rice*  
*Director, HR*

DATE: September 12, 2023  
TO: Board of County Commissioners  
FROM: Kate Rice, Director, HR  
SUBJECT: Maximum Vacation Leave Balances

As we approach the end of fiscal year 2023, I've realized that we are still challenged to have employees use their allotment of vacation hours. This may be due to staffing levels, expense of personal travel or multiple other reasons. We currently have a policy that at the start of the fiscal year any vacation balance above 240 hours is rolled back to the 240 level. As of September 8, 2023, we have 113 employees with 240 or more hours of accrued vacation leave. We even have one employee with more than 400 hours of vacation on the books at this time. Not surprisingly, within that group, 13 employees are at the maximum allowed sick leave balance as well.

If any of those 113 employees were to leave employment this month, our current policy would grant them their full vacation balance on their last check. Within this last fiscal year, we have had 166 total employees leave employment with Canyon County. Five (5) of them had above 240 hours and were paid out a total of 221.78 hours of vacation pay above the 240 maximum. 161 employees that left Canyon County this year had a vacation leave balance less than 240 hours.

My suggestion is to mirror the policy of the City of Nampa and allow employees to maintain their vacation balance and continue to accrue time. The caveat would be that if the employee leaves employment, for any reason, the maximum vacation pay-out would remain at 240 hours. Furthermore, I would like to limit the amount of vacation time an employee can request to use in a single event to no more than 20 consecutive days or 160 consecutive hours, unless the time is to be used for documented and approved FMLA leave. Lastly my suggestion would be to limit the maximum vacation leave accrual to no more than 480 hours. This equals the maximum FMLA leave and will hopefully encourage employees to utilize their time.

This suggestion benefits the 113 employees with large vacation balances and only may be seen as a penalty to those expecting to leave employment after adoption of this policy. Some may be using their high vacation balance as a pseudo savings account before leaving employment or retiring. This is the perfect time to introduce this change. All vacation balances would be re-set as of October 2, 2023, by current policy, so there is no down side to employees that remain employed.

My suggestion is to also remove the practice of converting excess vacation time to sick leave. The equation used significantly discounts the vacation hours. This is a punitive practice and is seen as a last resort for employees. And, since sick leave is much more restrictive and does not get paid out at termination, employees would have no reason to reduce vacation and add to sick leave. Eliminating this practice will also remove a time-consuming manual process for Payroll.

After your decision, I will move forward accordingly.

The Canyon County Board of Commissioners considered and adopted the following Resolution which shall be effective on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Upon the motion of Commissioner \_\_\_\_\_ and the second by Commissioner \_\_\_\_\_ the Board resolves as follows:

To approve the attached proposed updates to the Canyon County Vacation and Sick Leave Policies. The intent of these changes is to clarify the verbiage and make administration of these policies as equitable as possible for all employees.

For the Vacation Policy the accrual maximum will be increased to 480 hours and the payout at termination will be capped at 240 hours.

The practice of exchanging vacation for sick leave hours and vice versa will be eliminated.

The Employee Handbook updates are attached and upon approval will be posted for all employees.

\_\_\_\_ Motion Carried Unanimously  
\_\_\_\_ Motion Carried/Split Vote Below  
\_\_\_\_ Motion Defeated/Split Vote Below

	Yes	No	Not Vote
_____ Commissioner Leslie Van Beek	_____	_____	_____
_____ Commissioner Brad Holton	_____	_____	_____
_____ Commissioner Zach Brooks	_____	_____	_____

Attest: CHRISTOPHER W. YAMAMOTO, CLERK

\_\_\_\_\_  
Deputy Clerk

Date: \_\_\_\_\_

## **5.0 LEAVES**

### **5.01 Vacation**

#### **5.01.01 Policy Statement**

Vacation leave is for the purpose of rejuvenating both physical and mental faculties and all employees are urged and expected to avail themselves of vacation leave periods. Efforts will be made to accommodate the preference of the employee in taking vacation leave, but first priority will be the orderly functioning of the department. Absences from work, except those involving disciplinary proceedings, workers compensation leave, comp time, civil leave, unpaid military leave, subsidized military leave, or absence of leave without pay, will be deducted from vacation leave accumulations. Vacation leave shall not accrue to any employee on leave without pay, unpaid military leave, suspension without pay, or who has been laid off.

Regularly scheduled days off and officially designated holidays falling within a period of vacation leave shall not be counted against vacation leave. Vacation leave shall not be taken in advance of being earned and shall only be taken in pay periods subsequent to being earned. Upon separation of employment with the County, compensation for the employee's unused vacation leave is included in the employee's final paycheck. Vacation time may not be used to delay the date of separation.

Any employee suspected of abusing the vacation leave policy may be subject to discipline, up to and including termination.

#### **5.01.02 Regular Accrual Rates**

Accrual Rates for Regular, Full-time Non-exempt Employees: Eligible regular, full-time hourly employees accrue vacation leave are as follows:

<b>Year(s) of Service</b>	<b>Accrual Rate</b>	<b>Days Per Year</b>
From first completed full-time pay period (80 hours) through year 5	3.08 hours per 2 week pay period	10
Over 5 through 10	4.62 hours per 2 week pay period	15
Over 10 through 15	6 hours per 2 week pay period	19.5
Over 15	7 hours per 2 week pay period	22.75

Accrual Rates for Regular, Full-time Exempt Employees: Eligible regular, full-time salaried employees accrue vacation leave are as follows:

<b>Year(s) of Service</b>	<b>Accrual Rate</b>	<b>Days Per Year</b>
From first completed full-time pay period (80 hours) through year 5	4.62 hours per 2 week pay period	15
Over 5 through 10	6 hours per 2 week pay period	19.5
Over 10	7 hours per 2 week pay period	22.75

#### **5.01.03 Other Accrual Rate**

Accrual Rates for Regular, Reduced Schedule Employees. Employees claiming less than 80 hours of paid time (including regular time, vacation time, sick leave and comp time) in a two week pay period receive a reduced vacation leave accrual for that pay period based on the following schedule:

<b>Hours Worked in a Pay Period</b>	<b>Percentage of Normal Accrual</b>
70 – 79 Hours	87.5%
60 – 69 Hours	75%
50 – 59 Hours	62.5%

40 – 49 Hours	50%
Less than 40 Hours	None

#### **5.01.04 ~~Balance Carry Over~~ Maximum Vacation Accrual**

~~A maximum of 240 hours of vacation leave may be carried over by an employee from one fiscal year to the next.~~ The maximum accrual of Vacation Leave allowed is 480 hours. If an employee's balance reaches this limit, they will stop accruing additional hours until vacation time is used or donated. Accrued but unused Vacation Leave will be paid out (up to 240 hours) to the employee, at the employee's current rate of pay, at the time of termination, regardless of notice or reason for leaving.

#### **5.01.05 ~~Transfer of Vacation Leave~~**

~~Vacation leave shall be transferable from department to department only to the extent that it is accrued and accumulated. The dollar value of such leave shall be based on value in department transferred from, and may be adjusted at the time of transfer to reflect that value.~~

#### **5.01.056 ~~Use of Vacation Leave~~**

A request for vacation leave shall be submitted to the employee's appropriate supervisor with as much advance notice as possible. Scheduled leave may be taken only after written approval in accordance with procedures established by the EO, or his/her designee, or DA. Vacation leave is granted only after consideration for office staffing and work deadlines has been given. Employees are cautioned to not purchase airfare or to make non-refundable deposits on trips that have not yet been approved by the supervisor. The County will not be held liable for any employee expenditures lost should a vacation request be denied.

It is the responsibility of the employee to monitor his/her own vacation balance and to work with his/her supervisor ~~early in the fiscal year~~ to make appropriate vacation plans, ~~so as to avoid~~

~~losing balances beyond the allowed carry-over. Vacation requests in August and September may be denied more frequently due to the number of requests and the need for adequate office staffing. Employees are urged to use vacation time regularly and well in advance of losing it.~~

Employees may only take two consecutive weeks of vacation time, unless the EO or DA gives written permission to take additional consecutive time. An employee needing more than two consecutive weeks of vacation leave ~~must~~ should give as much ~~minimum of three months advanced notice as possible. notice. Approval is at the discretion of the EO or his/her designee, or DA.~~ A maximum of 20 consecutive shifts or 160 consecutive hours may be requested for a single vacation leave event. Approval is at the discretion of the EO or his/her designee, or DA, unless completed and approved FMLA paperwork is on file in Human Resources.

#### **~~5.01.07 Conversion of Vacation Leave to Sick Leave~~**

~~Eligible employees who have accrued vacation time beyond the maximum allowed carryover, shall be allowed to trade two vacation days for one sick leave day. Employees may use this provision up to the maximum sick leave accrual carryover of 80 hours. Requests to convert accrued vacation leave to sick leave must be submitted to the employee's supervisor no later than the final payroll of the fiscal year.~~

### **5.02 Sick Leave**

#### **5.02.01 Policy Statement**

Paid sick leave is a benefit providing relief for the employee in the event of illness of the employee or his/her immediate family. Sick leave is to be used only in the event of an illness or injury that prevents the employee from working productively or safely or if an immediate family illness presents no practical alternative for necessary care.

Sick leave is also appropriate for an employee to attend medical, optical or dental appointments for themselves or for a member of their immediate family. As used in Section 5.02, with the exception of Section 5.02.06, “immediate family” shall mean and be limited to: spouse, natural and adopted children, step-children, foster-children, parents, step-parents, siblings, step-siblings, grandparents and grandchildren.

Regularly scheduled days off and officially designated holidays falling within a period of sick leave shall not be counted against sick leave. Paid sick leave shall not be taken in advance of being earned. Vacation leave will be used in the event of employee sickness and/or disability after all accrued sick leave has been used.

A request for paid sick leave must be made within a reasonable time. Paid sick leave may be denied and/or granted during times that least interfere with the work of the office or department. Any employee suspected of abusing the sick leave policy may be subject to discipline, up to and including termination.

#### **5.02.02 Regular Accrual Rate**

Accrual Rate for Regular, Full-time Employees. Eligible regular, full-time employees accrue sick leave at the rate of four (4) hours per two week pay period, for an annual total of approximately 104 hours.

#### **5.02.03 Other Accrual Rate**

Accrual Rate for Regular, Reduced Schedule Employees. Employees claiming less than 80 hours of paid time (including regular time, vacation time, sick leave and compensatory time) in a two week pay period receive a reduced sick leave accrual for that pay period based on the following schedule:

<b>Hours Worked in a Pay Period</b>	<b>Percentage of Normal Accrual (based on PR 4.02.02)</b>
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70 – 79 Hours	87.5%
60 – 69 Hours	75%
50 – 59 Hours	62.5%
40 – 49 Hours	50%
Less than 40 Hours	None

#### **~~5.02.04 Balance Carry-Over~~ Maximum Sick Leave Accrual**

A maximum of 480 hours of sick leave ~~may~~ can be earned over ~~accrued~~ by an employee ~~from one fiscal year to the next~~. Sick Leave accrual will cease for an employee when the maximum accrual of 480 hours has been reached. There is no pay-out of accrued, but unused, sick leave at the time of termination of employment.

#### **~~5.02.05 Conversion of Sick Leave to Vacation Leave~~**

~~During the period of October 1 through October 31 of each year, an employee who has accrued a minimum of 240 hours sick leave may request in writing to their EO for permission to convert 2.5 hours of sick leave for one hour of vacation leave, up to a maximum of 80 hours of sick leave for 32 hours of vacation leave.~~

#### **~~5.02.05~~ 6 Bereavement Leave**

In case of death in an employee's immediate family, the employee shall be provided twenty-four (24) hours paid leave (i.e. three 8-hour or two 12-hour shifts) for bereavement purposes relating to that death. ~~An EO or DA may allow, at his or her discretion, up to two additional days of sick leave for the purpose of traveling long distances to and from the place of death and/or funeral.~~

An EO or DA may ~~also~~ allow, at his or her discretion, additional accrued sick leave to be used as bereavement leave based upon good cause. Such allowances of sick leave usage shall be limited to deaths of spouses, natural and adopted children, step-children, parents, the same relationships by marriage (meaning, in-laws), step-parents, siblings, step-siblings, grandparents and grandchildren. Such leave shall be charged against the employee's sick leave. Employees who wish



to take leave from work for deaths of relatives other than those previously listed or friends may use their accrued vacation leave.

#### **5.02.067 Accrual While on Leave**

Sick leave shall not accrue to any eligible employee on any kind of leave of absence without pay, unpaid military leave, suspension without pay, or layoff, or when working overtime. Sick leave shall accrue while an employee is on an approved leave with pay, on approved vacation leave, on paid military leave, on subsidized military leave or on approved paid sick leave.

#### **5.02.078 Donation of Sick Leave**

An employee may donate up to 40 hours of accumulated vacation leave to another employee for use by the recipient employee as sick leave.

An employee may only receive a donation of sick leave once his/her sick and vacation balances are exhausted or will exhaust within the next pay period, and then may only receive a donation equal to the difference between the employee's accrued hours and 160 hours.

The employee may only use the donated sick leave hours for the approved qualifying condition of the employee's own personal sickness or for the illness of a relation in the first-degree, as defined in Section 3.02. The value of the hours donated will equal the hourly rate of the recipient employee. Sick leave benefit recipients will receive their normal compensation when using donated sick leave benefits.

An employee who feels he/she needs a leave donation must make a written request to his or her supervisor, DA or EO. The employee is not permitted to solicit donations directly from co-workers or other County employees. The EO, or their designee, or DA shall forward the request with a written recommendation to approve or deny the request and the rationale therefor to HR for record keeping. Such donation of hours is not a right and is granted by the EO in its discretion.

Once approval is given by the employee's EO or DA, HR will send an email request to County employees requesting leave donations on behalf of the receiving employee. The name of the receiving employee must not be released and any information regarding his/her medical condition must remain confidential. Employees who wish to donate leave to another employee must fill out a leave donation form.

Requests for donated leave will remain open for one full pay period and may take up to two weeks to process. An employee may only request donated leave once per medical incident or condition.

#### **5.02.089 Certification by Physician**

An employee that has called out sick for three consecutive shifts, must submit a doctor's note to HR before returning to the workplace. This is to ~~When an employee has missed work because of a disability, injury or illness, at the discretion of the EO or DA, he/she may be required to submit a written statement from a physician ensure~~ that the employee is capable of and released to return to the performance of his/her duties with or without limitations. This rule is designed to protect the health and well-being of the employee, and to prevent re-injury or recurrence of illness of the employee or colleagues.

EOs or DAs asked to approve use of sick leave may request an independent review through HR of reported illness at any time by a competent medical authority at County expense.

#### **5.02.10 Transfer of Sick Leave**

~~Sick leave shall be transferable from department to department only to the extent that it is accrued and accumulated. The dollar value of such leave shall be based on value in department transferred from, and may be adjusted at the time of transfer to reflect that value.~~