

VACATION LEAVE

Full-time and Regular Part-time employees are eligible for paid vacation. Part time and Non Regular employees are not entitled to paid vacation time.

Vacation time is granted to eligible employees based upon length of service. If there is a break in service, eligibility for vacation will be based on the employee's most recent hire date.

If requested, an employee shall be paid his or her earned vacation pay before starting his or her vacation provided that such vacation pay is scheduled at least one (1) week in advance; otherwise, the employee shall be paid his or her vacation pay upon return from vacation.

Vacation pay for a full week will be paid for the employees normally scheduled hours and straight time pay rate; i.e., if the employee normally is scheduled for 40 hours per week, their vacation pay will be for 40 hours; anyone normally scheduled for 35 hours will be paid 35 hours, and so forth.

An employee will not accrue any vacation time for those pay periods in which the employee is entitled to no wages, unless required under law. Generally, no accruals will occur when the employee is on unpaid leave, such as FMLA leave.

Vacation Leave Accrual

Vacation leave is provided for the purpose of rest and recuperation with a view to future service in the best interest of the Town and as such all employees must take this time off from work.

Vacation days are earned on a monthly accrual basis from the employees' date of employment. All eligible employees having completed at least six (6) months of consecutive service shall be awarded vacation leave. Days earned are from the date of employment but can be taken only after the completion of probation.

Vacation leave shall be calculated based upon the normal hours worked by an employee during a regular workweek and years of continued service. Full-time employees having completed six (6) months of service with the Town of New Boston will be awarded paid vacation from the date of hire based upon the following accruals:

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| Date of Hire to Completion of 5 years: | 80 hours annually |
| • The employees' accrual shall be at 6.67 hours per month | |
| 5+ years to completion of 12 years: | 120 hours annually |
| • The employees' accrual shall be at 10 hours per month | |
| 12+ years to completion of 19 years: | 160 hours annually. |
| • The employees' accrual shall be at 13.34 hours per month | |
| 19+ years: | 200 hours annually |
| • The employees' accrual shall be at 16.67 hours per month | |

Vacation leave may be taken all at once, several days at a time or in parts of days at the discretion of the Department Manager. Any vacation time to be taken in excess of eighty (80) hours at any one time in any one (1) year shall be taken at the discretion of the Board of Selectmen. **Vacation days cannot be converted to cash.**

Eligible employees can accrue up to, but shall not exceed, 150% of their annual accrual. For example, employee "Jones" earns 80 hours annually. He/She may accrue 40 additional hours (up to 120 hours) in their accrual bank. If an employee reaches the 150% maximum, the monthly accruals shall be zero (0) until the employee is below the maximum allowed.

Vacation time, as detailed above, can only exceed the 150% threshold if the employee has been precluded from taking vacation because of any action of the Town. In this situation, the employee shall immediately present a "vacation use" plan to the Board of Selectmen to rectify the deviation from this policy. Failure to submit a plan within fifteen (15) days of the deviation will result in a zero (0) monthly accrual until the situation is rectified.

Vacation Tracking

The Department Manager shall provide, at least quarterly, accruals to all eligible Full and Regular Part Time employees. The employee shall immediately bring any issue requiring correction to their manager. Failure to notify the manager in a timely manner may result in a loss of the benefit.

Vacation Scheduling

The Department Manager will determine the annual vacation schedule of each employee under his supervision, taking into consideration the best interests of the Town, the particular needs of the department, and the desire of the employee. A conflict in scheduling vacation leave among several employees will be resolved by the Department Manager on the basis of seniority, particular assignments of employees, and upcoming department workload.

All employees must submit requests for vacation time to their Department Manager in writing. Requests should be submitted at least 10 working days in advance of the requested vacation dates. Failure to comply with the 10 day rule may provide cause for immediate denial of the request. Timeliness denials are not considered "any action of the Town" as outlined in this policy. Vacation may be taken only if the request is approved by the Department Manager.

All eligible Full-time employees may take up to, but not exceed, 40 hours in advance of accrual. Eligible Part-time employees may take up to, but not exceed, the amount of hours normally scheduled during a work week. (For example, if Part-time employee "Jones" normally works 18 hours each week, they may take up to 18 hours in advance of accrual.) If the employee separates, or is separated from employment prior to actually accruing the hours used, those hours remaining shall be deducted from the employees final paycheck.

Vacation Leave Settlement Upon Termination or Resignation of Employment

Employees who are eligible for awarded vacation and whose resignation or whose employment is terminated by the Board of Selectmen for any reason other than just cause shall be paid an amount equal to accumulated vacation time earned but not paid or taken.

Death of Employee Eligible for Vacation

Upon the death of an employee who is eligible for accrued vacation, payment shall be made to the beneficiary as listed in the employee's life insurance application, in an amount equal to the vacation pay earned but not paid or taken.

Vacation as Sick Leave

Vacation time may be used by employees in addition to, or in lieu of sick leave, with the approval of the Town Administrator.

Sickness While On Vacation

With the approval of the Department Manager, an employee who becomes ill while on vacation may change those days when ill to sick leave. Employees who change a vacation day to a sick day would follow the Sick Leave Policy.

Holiday During Vacation

If a regular paid holiday occurs during the taking of annual leave, it will not be counted as a day of leave.

Part Time Employee Benefits

Both the Longevity Plan and the Vacation Plan call for eligible part-time employees to receive “pro rata” shares of these benefits. Regular part-time employees working an annual average of 18 hours per week qualify on a pro-rated basis in accordance with his/her regular hours of work. For instance, if a part-time employee regularly works 5 hours per day, then the part-time employee will only be entitled 5 hours of pay when he/she takes a vacation day. Part-time employees also “earn” their benefit on a weekly basis rather than monthly. The Part-time accrual is strictly based upon actual hours of work. A Part-time employee does not accrue hours while on any form of leave. A Part-time eligible employee who becomes a Full-time employee shall carry any unused vacation time into their Full-time accrual bank.

Part-time eligible employees shall accrue time based upon the following formula:

0-5 year employee = 80 hours annual accrual.
Divided by 52 weeks,
Divided by 40 hours per week,
Equals an hourly accrual rate of .0385.

The rate **(.0385)** is then multiplied by the actual hours worked each week for the pro-rated vacation accrual.

Example: Employee “Jones” is a Part-Time employee who works 20 hours each week. On an annual basis, they would be eligible for 40 hours of vacation based upon hours worked. Using the above formula:

$20 \text{ (hours)} * .0385 = .77 \text{ weekly accrual}$
 $.77 \text{ (weekly)} * 52 \text{ (weeks)} = 40.04 \text{ hours}$

A Part-time employee whose service to the Town of New Boston exceeds ten thousand (10,000) hours (or the equivalent 5 years full time) may submit a request to the Board of Selectmen, through their Department Manager, for consideration of an increased accrual rate. Said rate will be based upon 120 hours of annual vacation. If granted by the Board, the accrual rate shall be .0577 per hour of work.

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