

VACATION / PERSONAL LEAVE

I. PURPOSE

To grant time off with pay to eligible employees in recognition of their length of service with the Shelby County Schools (SCS).

II. SCOPE

This policy applies to teachers (personal leave) and all eligible employees (vacation) unless otherwise covered by a Memorandum of Understanding (MOU) or by an employment agreement.

III. POLICY STATEMENT

A. Vacation Leave – Eligible Employees

Shelby County Schools (SCS) shall provide vacation leave to all eligible employees.

1. Eligibility

- a. Employee must be in a full-time permanent twelve (12) month position
- b. Creditable service for the purpose of eligibility for vacation is computed on the basis of total length of full-time twelve (12) month employment with the District. Creditable service for any Memphis City Schools (MCS) employee who is employed by SCS as a result of the consolidation of the school districts shall be computed on the basis of the combined length of permanent full-time employment with both districts.

2. Vacation Pay

Vacation pay is computed on the basis of the employee's regular schedule at the regular rate of pay at the time vacation is taken.

3. Accrual of Vacation

- a. Individuals hired by the District who meet eligibility criteria under this policy shall begin accruing vacation credit upon employment; however, the employee shall not be able to use accrued time prior to completion of six (6) months of continuous employment with the District.
- b. Eligible employees shall be entitled to the following accrual of vacation:

<u>Length of Service Vacation (Vacation Accrued)</u>	<u>(biweekly basis)</u>
<small>Vacation is based on years of credible service in a vacation eligible position</small>	
Less than three (3) years.....	.46
Three (3) years but less than ten (10) years54
Ten (10) years but less than fifteen (15) years65
Fifteen (15) years but less than twenty-five (25) years77
Twenty-five (25) years or more96

- c. Vacation leave is accrued while an employee is in a paid status, but does not accrue while an employee is in an unpaid status.
- d. Vacation is accrued per payroll period and the accumulated amount of vacation appears on the employee's paychecks. All eligible employees may accrue up to a maximum of thirty-five (35) vacation days.
 - (1) In accordance with guidelines established by the District, rehires shall receive service credit for previous years of employment with the District in a vacation eligible position; and
 - (2) Accrue vacation at the current rate for total length (previous and current) of service.

4. Vacation Scheduling

- a. With the exception of vacation accrued prior to the completion of six (6) months of continuous employment with the District, vacation may be taken at any time following accrual. Vacation schedules are subject to the approval of the employee's immediate supervisor and should be planned in such a way that division's/department's operational procedures will continue satisfactorily. Employees should request vacation as far in advance as possible.

- b. Employees shall be allowed to use and shall be paid only for vacation time that fall on regularly scheduled work days. This shall include the use of accrued vacation by employees who transfer from a vacation eligible to ineligible position.
 - c. Vacation schedules will not be modified to accommodate illness or sick leave during the scheduled vacation.
 - d. Designated District holidays that fall within an employee's scheduled vacation shall not be counted as vacation days.
 - e. The use of vacation days for service in the Tennessee National Guard, State Militia or Military Reserve shall be subject to general provisions of T.C.A. 49-5-702; 49-5-704; and 8-33-109.
5. Change from Vacation Eligible to an Ineligible Position
- a. Employees transferring from a vacation eligible to ineligible position shall not be paid out for any unused accrued vacation upon change in eligibility status (see item 6 Separation from Service below).
 - b. Accrual of vacation for an employee transferring from a vacation ineligible to eligible position shall be based on length of service with the District. Length of service for vacation purposes shall be based on the actual time worked in a vacation eligible position.
6. Separation from Service
- An employee who resigns or terminates from Shelby County Schools shall be paid for any unused or earned vacation leave. Such payment shall be at the salary rate by which the employee was paid on his/her last workday up to a maximum of thirty-five (35) days.

B. Personal Leave –Teachers

Unless otherwise covered by an MOU, a teacher, as defined by state law and/or regulations, shall be allowed to take two (2) days of personal/professional leave per school year in accordance with applicable state law, TN Minimum Rules and Regulations and Board policy. There shall be no accumulation of personal leave from one year to the next and any unused portion of personal leave shall be transferred to sick leave. Upon termination of service with the District (voluntary or involuntary) the teacher may request that any unused portion of his/her personal leave be converted to retirement service.

IV. RESPONSIBILITY

- A. The office responsible for human resources shall be responsible for ensuring that employees are assigned the correct accrual factor.
- B. It is the supervisor's responsibility to ensure that their division or department continues to operate in an efficient manner when considering vacation requests.
- C. The supervisor who signs the time sheet is responsible for ensuring that vacation time taken by an employee is accurately reported to the office responsible for fiscal services.
- D. It is the responsibility of the Superintendent to ensure that this policy is followed.

Legal References:

- 1. T.C.A. 49-5-710
- 2. T.C.A. 49-5-711
- 3. TRR/MS 0520-01-02-.04
- 4. T.C.A. 49-5-702
- 5. T.C.A. 49-5-704
- 6. T.C.A. 8-33-109

Cross References: