

**PIEDMONT VIRGINIA COMMUNITY COLLEGE**

**VIII – HUMAN RESOURCES / PERSONNEL**

**POLICIES VIII – 14.0 Exceptions to Annual**

**Leave Carryover Maximum (Classified)**

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<b>Policy #:</b>	<b>14.0</b>
<b>Effective:</b>	<b>11/14/2016</b>
<b>Responsible Dept.:</b>	<b>Human Resources</b>

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**1. PURPOSE**

The purpose of this policy is to clarify the Department of Human Resources “Exception” to maximum carryover amounts for annual leave for classified staff and define the steps required to request an exception.

Note: This policy does not apply to administrative/professional faculty. VCCS Policy 3.9 Faculty Leave (<http://www.boarddocs.com/va/vccs/Board.nsf/Public#>) does not contain a similar exception for administrative/professional faculty hired after January 1, 2007. A different policy is in place for those hired prior to that date.

**2. EXCEPTIONS TO ANNUAL LEAVE CARRYOVER**

Per Department of Human Resources Management (DHRM) Policy 4.10 Annual Leave, ([http://www.dhrm.virginia.gov/docs/defaultsource/hrpolicy/pol4\\_10annlv.pdf?sfvrsn=2](http://www.dhrm.virginia.gov/docs/defaultsource/hrpolicy/pol4_10annlv.pdf?sfvrsn=2)), there is a maximum number of annual leave hours that may be carried over from one calendar year to the next – the Maximum Carryover. The Maximum Carryover for an individual is dependent upon employment date.

It is expected and encouraged that employees be afforded the opportunity to take accrued annual leave during the calendar year in which the hours are accrued. Supervisors should approve annual leave requests. Employees should monitor their leave balances using the Agency’s HR system and plan to use accrued hours in a timely manner. Accrued hours may be retained up to the individual’s Maximum Carryover.

Any hours exceeding the Maximum Carryover are deducted from the employee’s balance during the January 10<sup>th</sup> leave processing. Per DHRM directive, January 9<sup>th</sup> accruals are **not** earned until after the Maximum Carryover rules are applied.

For example, J. Doe earns 7 hours of annual leave per pay period and has a Maximum Carryover of 244 hours. He has a balance of 250 hours after leave hours are accrued for

the pay period ending December 24<sup>th</sup>. On January 10<sup>th</sup>, 6 hours will be deducted from his balance and 7 hours will be added to his balance, leaving him with a balance of 261 hours.

### 3. Exception

DHRM policy states that Agency heads may grant an exception to the Maximum Carryover rules when employees have not been able to use annual leave due to extenuating circumstances. Examples of such circumstances include (but are not limited to) the following: employee workloads impacted by department turnover, leaves of absence that impact another's ability to take off, and special project workloads not conducive to scheduling time away.

To request an exception, the employee must outline in writing the reason(s) the excess annual leave was not used during the year. The employee must then present the request to his/her immediate supervisor and college vice-president. If supported and approved by the immediate supervisor and vice-president, the final request with the reasons thus outlined shall be presented in writing to the president who has final authorization.

Written requests must be completed and approved no later than December 1<sup>st</sup> of each year.

Approved exceptions must be communicated to the human resources department who will ensure leave balances are adjusted accordingly. This must take place prior to January 10<sup>th</sup> of each year. Any excepted hours carried over must be used prior to July 9<sup>th</sup> of the same calendar year. Using excess carryover leave hours is not a valid reason to grant an exception to the Maximum Carryover for the following calendar year.

Attached (below) is the VCCS policy for faculty annual leave accruals and carry over amounts.

#### VCCS Faculty Leave Policy

##### 3.9.3 Annual Leave (SB)

3.9.3.1 Twelve-month faculty who are employed in the VCCS **prior to** January 1, 2007.

- a. Twelve-month faculty who are employed in the VCCS prior to January 1, 2007 shall accrue annual leave at the following rate based on years of service:

<b>Years of Service</b>	<b>Semi-Monthly Accrual Rate</b>	<b>Maximum Carryover Limits</b>	<b>Maximum Payment Limits</b>
<b>Up to 5 years</b>	4 hours	192 hours (24 days)	192 hours (24 days)
<b>5 years</b>	5 hours	240 hours (30 days)	240 hours (30 days)
<b>10 years</b>	6 hours	288 hours (36 days)	288 hours (36 days)
<b>15 years</b>	7 hours	336 hours (42 days)	288 hours (36 days)
<b>20 years</b>	8 hours	384 hours (48 days)	336 hours (42 days)
<b>25 years</b>	9 hours	432 hours (54 days)	336 hours (42 days)

- b. Presidents, Executive Vice Presidents, Vice Presidents, Provosts, and faculty- rank members of the Chancellor’s Cabinet shall be given 160 hours (20 days) of annual leave on January 10. When they have 15 years of service, the amount of annual leave given will be as indicated in a. above. For executive-level employees who start employment any time other than January, the amount of annual leave given will be prorated on a per pay-period basis. Termination dates before December will result in a proration of leave eligible for payment. The maximum carryover amounts and the maximum payment limits in a. shall apply.
- c. All annual leave in excess of the maximum allowed shall be carried over beyond January 1 of each year. However, the excess leave must be used by July 9th of the same calendar year. The remaining excess hours will be converted to sick leave on an hour-for-hour basis as of July 10, except for participants in the Virginia Sickness and Disability Program (VSDP).

As annual leave is used during the first six months of the calendar year, the hours used shall be deducted from the excess hours balance. When all excess hours have been used, annual leave taken shall be deducted from the current calendar year balance.

3.9.3.2 Presidents, administrative/professional faculty, and twelve-month teaching faculty hired **after January 1, 2007** will receive leave in accordance with the following chart:

	<b>Up Front, Upon Hire</b>	<b>Accrual Per Pay Period Worked</b>	<b>Maximum Accrual Per Year</b>	<b>Maximum Carry Forward Limit</b>	<b>Maximum Payment Limit</b>
<b>Presidents</b>	120 Hours (15 days)	10 hours	240 hours (30 days)	240 hours (30 days)	240 hours (30 days)
<b>Executives, Senior Administrator</b>	96 hours (12 days)	8 hours	192 hours (24 days)	192 hours (24 days)	192 hours (24 days)
<b>Administrators, 12-month teaching faculty</b>	84 hours (10.5 days)	7 hours	168 hours (21 days)	168 hours (21 days)	168 hours (21 days)

- a. For this policy, Administrative/professional faculty positions are categorized as follows:
  - i. Executives: Executive Vice President, Vice President, Provost, Executive Vice Chancellor, Vice Chancellor, faculty rank members of the Chancellor’s Cabinet, and Associate Vice Chancellors with State Board Responsibility.
  - ii. Senior Administrators: Assistant Vice President, Associate Vice President, Assistant Vice Chancellor, Dean, Campus Dean, Director.
  - iii. Administrators: Assistant Director, Associate Director, Coordinator, Assistant Coordinator, Administrative Officer, Counselor, Librarian, twelve-month teaching faculty.
- b. “Up-front” leave will be granted on the effective date of employment.
- c. Leave accruals continue to increase per pay period, however, the total accrual is reduced to the maximum annual accrual each January 10th.
- d. Upon termination, the compensation of unused annual leave shall be the current annual leave balance which may not exceed the person’s maximum payment limit. The payment rate will be calculated by converting the annual salary to an hourly rate. Grant funded positions will be compensated for unused annual leave only if grant funds are

available for this purpose.

- e. Administrative/professional faculty hired before January 1, 2007 will have a one-time option of electing to participate in the plan. The decision to enter the plan is final and may not be reversed. An administrative/professional faculty member hired before January 1, 2007 who accepts a higher level position in the System may retain the accrual and payout limits in 3.9.3.1.a. above or opt into the new system in 3.9.3.2 at the time of the promotion.

### 3.9.3.3

- a. Annual leave shall not be provided to nine-month faculty.
- b. When terminating employment or when moving from an administrative or professional position to a 9-month teaching position, an employee shall be paid for only the maximum leave allowed by policy.

Unless otherwise stated above, the accrual, use and transfer of annual leave credits shall be in accordance with policies and procedures of the Department of Human Resource Management.