

**I. VACATION LEAVE RULES AND REGULATIONS**

**A. SCOPE**

These rules and regulations shall apply to all full time, permanent, provisional and temporary personnel, unless specifically provided by collective bargaining agreement to the contrary. Part time employees shall be eligible for vacation leave only if they are regularly scheduled to work at least twenty (20) hours per week, and such leave shall be computed on a prorated basis. Positions filled by popular election or those under the jurisdiction of the school committee are not eligible for vacation time under this rule.

**B. VACATION YEAR DEFINED**

For most city departments, vacation time is computed on the basis of the year, which runs from June 1st of any given year to May 31st of the following year. The majority, but not all of the Police Department, Fire Department and Communications Departments operate on a January 1st to December 31st vacation year. If you have a question about your vacation year, please ask Human Resources or your direct supervisor.

**C. RATE OF PAY**

Vacation pay shall be computed based upon the employee's rate of pay while in his/her primary classification. For those employees having a secondary classification, the rate of pay shall be based on the classification in which the employee actually worked, exclusive of overtime, for a minimum of 1200 hours in the aggregate during the twelve months preceding the first day of June in any leave year, provided that, for the classifications of MEO A, B, C or D, the minimum hours shall be 1000.

**D. NEW EMPLOYEES: whose vacation year is June 1<sup>st</sup> through May 31<sup>st</sup>**

New Employees who commence employment with the city between June 1<sup>st</sup> and December 31<sup>st</sup> of any given year are given one week of vacation to be used after 12 weeks in a paid status. These employees will have two weeks of vacation starting June 1<sup>st</sup> of the year after they were hired.

**Example:** If an employee is hired on October 1<sup>st</sup>, they will receive one week of vacation to be used after they have been in a paid status for 12 weeks. On the following June 1<sup>st</sup> they shall receive two weeks of vacation.

New employees who commence employment with the city between January 1<sup>st</sup> and May 31<sup>st</sup> of any given year are given two weeks on June 1<sup>st</sup> of the year they were hired that can be used after 90 days in a paid status.

**NEW EMPLOYEES: whose vacation year is January 1<sup>st</sup> through December 31<sup>st</sup>**

New Employees who commence employment with the city between January 1<sup>st</sup> and May 31<sup>st</sup> will be given one week of vacation to be used after 12 weeks in a paid status. These employees will be eligible for two weeks of vacation starting the following January 1<sup>st</sup>.

New employees who commence employment with the city between June 1<sup>st</sup> and December 31<sup>st</sup> will be eligible for two weeks of vacation on the following January 1<sup>st</sup> that can be used after 90 days in a paid status.

**E. EARNING VACATION LEAVE CREDIT AFTER THE FIRST YEAR.**

An employee is eligible for two weeks of vacation leave during the vacation year, provided that he has actually worked at least 30 weeks (1200 regular hours) during the previous vacation year. In the event that an employee leaves the employ of the City before completing 30 weeks of service, the employee shall not be entitled to the two weeks of vacation buyout if they leave the city.

An employee earns, and will be eligible to use, their third week of vacation upon their fifth anniversary, subject to the 30 week rule. An employee earns, and will be eligible to use, their fourth week of vacation upon their tenth anniversary, subject to the thirty week rule.

Employees are allowed to carry over up to 5 vacation days per year. Under no circumstances should more than five vacation days be carried over to another vacation year. The carry over vacation days must be used within the first 60 days after the vacation year begins.

*All paid leave, except sick leave and workers' compensation, shall be counted as actual work for purposes of earning vacation eligibility. Part time employees are eligible for vacation time on a pro-rated basis.*

**F. FIFTH WEEK OF VACATION**

All Executive Managers on the EM and CM pay schedules shall be eligible for a fifth week of vacation upon their twentieth anniversary, subject to the 30 week rule.

**G. VACATION CREDIT FOR PRIOR EXPERIENCE**

The City Manager shall have the authority to credit employees in any position which is not governed by civil service and included in collective bargaining group with all or part of the time that employee served in prior city employment, or in any other prior employment, when calculating the number of weeks of vacation leave to be granted. The authority granted by this section may be exercised annually or permanently and in the case of employees under the jurisdiction of the city council, by the city council, and in no event shall result in any employee receiving vacation leave in excess of the maximum amount of vacation leave listed in Section D, E and F.

**H. WRITTEN REQUEST TO TAKE VACATION LEAVE**

Subject to any departmental policy, an employee wishing to take earned vacation leave at a particular time shall present a written request to their department head. Subject to seniority rights of another employee, the request will be granted, unless the department head, in the exercise of their discretion, determines that the employee's absence during that period would interfere with the operations of the department. Subject to the approval of the department head, earned vacation leave may be used to provide income during a period when an employee is in a no-pay status, such as an extended illness leave of absence after paid sick leave is exhausted.

**I. VACATION BUY BACK FOR EXECUTIVE MANAGEMENT**

Employees on the EM and CM pay schedule may buy back up to seven unused vacation leave days at the end of the vacation leave year, at 75% of their then current rate of pay.

**J. VACATION LEAVE IN ADVANCE OF ELIGIBILITY PROHIBITED**

No employee shall be granted vacation leave until the employee is eligible to receive said leave. Vacation leave shall not be granted in anticipation of service.

**K. HOLIDAY DURING VACATION**

If a legal holiday falls during an employee's vacation leave, the employee will be granted an extra day of vacation. However, if the holiday is celebrated on a day that would have been the employee's regularly scheduled day off had he not been on vacation, then the employee shall instead receive holiday pay. (See Holiday Rules and Regulations.)

**L. TRANSFER OF VACATION LEAVE**

Upon appointment or the resignation of any employee from any department in the City, including the School Department, followed by an immediate reappointment with no break in service to any other department in the City, the head of the department shall prepare an abstract of the leave records for the employee as of the last day that such

employee was carried in a pay status on the payroll for such department. The department head shall forward such abstract to the head of the department to which such employee has been appointed. The head of the department to which such employee has been appointed shall enter the information contained in the abstract in the leave record for their department, and shall credit such employee with any unused vacation leave credit as of the date of the commencement of services in such department.

**M. EFFECTIVE DATE**

These regulations shall become effective June 1, 2019, and shall supersede all previous versions.

**N. EXCEPTIONS AUTHORIZED BY THE CITY MANAGER**

In an effort to recruit or retain an individual, and subject to any collective bargaining or civil service limitations, the City Manager may grant additional vacation to an employee or candidate for employment based on said individual's skill level and/or experience, not to exceed four weeks. For example, if the City is considering a candidate for employment who has significant work experience, the City Manager may grant more than one week of vacation to said individual at the outset of his/her employment.

**O. INTERPRETATION**

Questions or interpretation of these regulations shall be directed to the Director of Human Resources.

**P. MODIFICATION**

The City Manager reserves the right to make such modifications and amendments to these regulations as, in his opinion, are deemed necessary and proper.

Promulgated by the City Manager 3/28/76

Amended and recodified 1/28/86

Revised 4/7/95

Revised 11/30/00

Revised 6/1/19