

To: Board of Selectmen Members

From: Lynne Vanderslice

Date: May 16, 2021

RE: Non-Union Vacation Policy

We are currently working with Berchem Moses to review and update the Town's Employee Handbook and the policies therein. We expect to discuss at the second meeting in June.

Prior to that meeting, it is necessary to now consider the proposed changes to the vacation policy, as the proposed changes impact non-union employee vacation carryover into fiscal year 2022.

The primary proposed changes are as follows:

1. **Employees earn vacation on a prorated monthly basis from their date of hire and employees are eligible to take earned vacation after six months of employment.** Under the current policy an employee doesn't earn vacation during their first six months of employment. Over the last several years we have hired a number of new employees hires with experience for which this restriction has been waived as a term of their acceptance of the position.
2. **Employees earn vacation during the fiscal year on a prorated monthly basis.** This is the typical means of earning vacation. Under the current policy, employees earn vacation in advance beginning with the first day of the fiscal year. The unintended consequence is that during the year of termination, an employee will receive a payout for vacation days awarded without having worked the time to earn all of the days awarded.

Years ago the Town adopted the policy to award vacation in advance because of the impact on new employees of not earning vacation in the first six months. With the recommendation to eliminate that policy and the policy frequently waived, earning of vacation should return to the generally accepted basis of awarding as you work the associated time.

3. **Implement flexibility in the vacation allowance to account for the hiring of employees with many years of experience.** Under the current policy, all employees begin with two weeks of vacation. This generally has not been the case for department heads hired with many years of experience.

Below are:

- The proposed language, with new language highlighted in yellow and the current language immediately following in italics.

- The current vacation section of the handbook.

PROPOSED EMPLOYEE HANDBOOK LANGUAGE

SECTION 10 - VACATIONS

Vacation time is provided for all employees according to the procedures outlined below. The intent is to give employees a break from the routine of their work. Vacation does not serve its purpose when it is not taken, and the Town expects employees to schedule and take vacation time due them each. Every reasonable attempt will be made to honor your requested dates. If scheduling conflicts arise, these will be resolved by your supervisor based on such factors as individual requests and priorities, seniority and needs of the department.

A non-union employee may request to carry over up to five days of earned vacation from one fiscal year to the next, to the extent the accumulated carryover does not exceed the employee's annual vacation allowance^[A1]. Any carryover recommended by the department manager must be approved by the First Selectman/Selectwoman. (Old Language: *An employee may automatically carry over from one fiscal year to the next up to five (5) days of unused vacation. Any carryover in excess of five (5) days must be approved by the First Selectman/Selectwoman or his/her designee prior to June 30 of any fiscal year. Such carryover must be used by the end of the ensuing fiscal year.*)

Your vacation time is earned on the basis of the length of time you have worked for the Town and if applicable, your status as a department manager. Vacation is awarded as a lump sum on July 1. Although vacation is awarded as a lump sum, vacation is earned on a prorated monthly basis from July 1st and vacation payout at the time of separation is prorated monthly from July 1st^[MOU2]. (Old Language: *In calculating vacation time earned, July 1 of each year will be the determining date.*)

During your first of year employment, vacation is earned and accrued on a prorated basis until July 1. Thereafter, vacation is awarded in a lump sum on July 1, as above. You are eligible to take earned vacation after six months of employment^[MOU3]. (Old Language: *For newly hired employees, vacation time is not accrued during the probationary period (normally six (6) months – see Section 5). For each full month worked after the completion of probation to the immediately succeeding July 1, a new employee is entitled to one (1) day of vacation. These vacation days may be taken prior to July 1 or carried forward and added to the two (2) weeks to which you are entitled on the July 1, immediately succeeding the completion of your probation.*)

New hires with previous work experience may be awarded additional weeks of vacation at their time of hire at the discretion of the First Selectman/Selectwoman.

Newly promoted employees may be awarded additional weeks of vacation at the time of their promotion at the discretion of the First Selectman/Selectwoman[MOU4].
(Old Language: there wasn't any language about exceptions)

Regular employees who complete their first (1st) or second (2nd) service anniversary during a fiscal year (July 1-June 30) are entitled to two (2) weeks of vacation which may be taken at any time during that fiscal year (subject to your supervisor's approval). Regular employees completing service anniversaries three (3) through ten (10) during a fiscal year will receive three (3) weeks of vacation on July 1 of that fiscal year, which can be taken (with your supervisor's approval) at any time during that fiscal year. Regular employees completing service anniversaries eleven (11) or greater in a fiscal year will receive four (4) weeks of vacation on July 1 of that fiscal year

Regular Part-Time Employees are granted vacation time in the same manner as full-time employees except that for part-time employees a week of vacation is defined as the average number of hours worked per week during the previous fiscal year.

In determining the time value of taking less than a full week of vacation, the following procedure will be followed:

- For Regular Part-Time Employees who work a set number of hours per week, the time value of taking less than a full week of vacation will be the difference between the number of hours normally scheduled to be worked in a week minus the number of hours actually worked during the week in which vacation time was taken.
- For Regular Part-Time Employees who do not work a set number of hours per week, the time value of taking less than a full week of vacation will be the average number of hours worked per week during the previous fiscal year minus the number of hours actually worked during the week in which vacation time was taken.

Eligible employees on vacation during a week in which an approved Holiday occurs will not be charged a vacation day on the day of the Holiday. (see Section 12 – Holiday Schedules[MOU5])

(Old Language: *Eligible employees on vacation during a week in which an approved Holiday occurs will receive an extra day of vacation with pay (see Section 12 – Holiday Schedules).*)

CURRENT LANGUAGE

SECTION 10 - VACATIONS

Vacation time is provided for all employees according to the procedures outlined below. The intent is to give employees a break from the routine of their work. Vacation does not serve its purpose when it is not taken, and the Town expects employees to schedule and take vacation time due them each year. An employee may automatically carry over from one fiscal year to the next up to five (5) days of unused vacation. Any carryover in excess of five (5) days must be approved by the First Selectman/Selectwoman or his/her designee prior to June 30 of any fiscal year. Such carryover must be used by the end of the ensuing fiscal year.

Your vacation time is earned on the basis of length of time you have worked for the Town. In calculating vacation time earned, July 1 of each year will be the determining date.

For newly hired employees, vacation time is not accrued during the probationary period (normally six (6) months – see Section 5). For each full month worked after the completion of probation to the immediately succeeding July 1, a new employee is entitled to one (1) day of vacation. These vacation days may be taken prior to July 1 or carried forward and added to the two (2) weeks to which you are entitled on the July 1, immediately succeeding the completion of your probation.

Regular, non-probationary employees who complete their first (1st) or second (2nd) service anniversary during a fiscal year (July 1-June 30) are entitled to two (2) weeks of vacation which may be taken at any time during that fiscal year (subject to your supervisor's approval). Regular employees completing service anniversaries three (3) through ten (10) during a fiscal year will receive three (3) weeks of vacation on July 1 of that fiscal year, which can be taken (with your supervisor's approval) at any time during that fiscal year. Regular employees completing service anniversaries eleven (11) or greater in a fiscal year will receive four (4) weeks of vacation on July 1 of that fiscal year.

Regular Part-Time Employees are granted vacation time in the same manner as full-time employees except that for part-time employees a week of vacation is defined as the average number of hours worked per week during the previous fiscal year.

In determining the time value of taking less than a full week of vacation, the following procedure will be followed:

- For Regular Part-Time Employees who work a set number of hours per week, the time value of taking less than a full week of vacation will be the difference between the number of hours normally scheduled to be worked in a week minus the number of hours actually worked during the week in which vacation time was taken.
- For Regular Part-Time Employees who do not work a set number of hours per week, the time value of taking less than a full week of vacation will be the average number of hours worked per week during the previous fiscal year minus

the number of hours actually worked during the week in which vacation time was taken.

Eligible employees on vacation during a week in which an approved Holiday occurs will receive an extra day of vacation with pay (see Section 12 – Holiday Schedules).

During May of each year, you should submit your vacation request (s) to your supervisor. These requests are then submitted to the First Selectman/Selectwoman's office for approval. Every reasonable attempt will be made to honor your requested dates. If scheduling conflicts arise, these will be resolved by your supervisor based on such factors as individual requests and priorities, seniority and needs of the department.

On termination, you will receive payment for any unused vacation (excluding unapproved carryover).