

## PAID LEAVE ELIGIBILITY AND ADMINISTRATION

*NOTE: Employees covered by a collective bargaining agreement shall be covered according to the most current agreement.*

### HOLIDAYS

#### Eligibility for Holiday Pay

Employees are eligible for holiday pay in accordance with [HR Policy 301 Holiday](#).

Employees do not receive holiday pay for a holiday(s) that occurs before their first day of work/employment, after their last day of work/separation, or while on a leave without pay.

Holiday pay is based on the chart below:

<b>% Appointment* as of the workweek in which the holiday falls</b>	<b>Hours of Holiday Pay</b>
Employee Assigned 0-6% Time Appointment	0
Employee Assigned 7-18% Time Appointment	1
Employee Assigned 19-31% Time Appointment	2
Employee Assigned 32-43% Time Appointment	3
Employee Assigned 44-56% Time Appointment	4
Employee Assigned 57-68% Time Appointment	5
Employee Assigned 69-80% Time Appointment	6
Employee Assigned 81-93% Time Appointment	7
Employee Assigned 94-100% Time Appointment	8

\*For indeterminate-time employees, the percentage is based on hours worked in the workweek in which the holiday falls.

The following employment category is not eligible for holiday pay:

- Fixed Term Retiree (Appointment Type FR).

#### Exempt Employees

Exempt employees who are on pay status anytime during the workweek in which the holiday occurs are eligible for holiday pay. Exempt employees receive holiday pay in proportion to their assigned appointment percentage as of the workweek in which the holiday falls.

#### Non-Exempt Employees

Non-exempt full and part-time employees are eligible for holiday pay if they are on pay status their last scheduled work day before the holiday and the first scheduled workday after the holiday. Non-exempt

employees receive holiday pay in proportion to their assigned appointment percentage as of the workweek in which the holiday falls.

#### **Full-time Temporary and Part-Time Employees**

Full-time temporary and part-time employees who are scheduled to work during a holiday week and meet the eligibility requirements defined in **Exempt Employees** and **Non-Exempt Employees** above may receive holiday pay based on their assigned appointment percentage (%) in the workweek in which the holiday falls. Employees do not receive holiday pay for a holiday(s) that occurs before the first scheduled day of work or after the last scheduled day of work.

#### **Indeterminate-Time Employees**

Indeterminate-time employees receive holiday pay when they are scheduled to work in a holiday week based on the percentage of hours worked in the workweek in which the holiday falls divided by 40 hours. Refer to chart above under **Eligibility for Holiday Pay**. Payment for the holiday is made the pay period following the pay period in which the holiday(s) occur. Employees do not receive holiday pay for a holiday(s) that occurs before the first scheduled day of work or after the last scheduled day of work.

### **VACATION LEAVE**

#### **Qualifying Service to Determine the Rate of Vacation Accrual**

Qualifying service to determine the rate of vacation accrual is based on the following:

- A month of service at one-half time or more is a month of qualifying service.
- Vacation accrued as an employee of the University of California (including the Lawrence Berkeley National Laboratory and the Los Alamos National Laboratory), the State of California (including Hastings College of Law), or the California State University prior to 10/01/07, provided the employee transitioned to LLNS on 10/01/07. Service need not be continuous.
- Time on military leave from the above institutions is counted.
- Time on government service leave is counted.

#### **Vacation Accrual**

The following employment categories are not eligible to accrue paid vacation leave:

- Fixed Term Retiree (Appointment Type FR),
- Temporary Employee (Appointment Type FA), and
- Appointees in the Scholar Employment Program (SEP), including Temporary Student Interns (Appointment Type ST), Term Student Interns (Appointment Type SG), Lawrence Scholars (Appointment Type SE), and Faculty Employees (Appointment Type SF).

All eligible employees accrue vacation credit each pay period based on the following calculation:

$$\text{Straight time hours percentage (\%)} \text{ in pay status in a pay period} \times \text{accrual rate} = \text{Vacation credit}$$

Vacation credit for each pay period is accrued and reported at the end of the pay period and is available for use on the 1<sup>st</sup> day following the pay period earned, except that:

- Terminating employees eligible to accrue vacation credit accrue proportionate credit through the last day on pay status.
- Vacation does not accrue for time on pay status in excess of forty hours in any work week.
- Paid overtime hours and on-call hours are not counted as hours on pay status for purposes of vacation accrual. Paid holidays are counted.
- Employees who are on personal leave without pay status do not accrue vacation leave.

## SICK LEAVE

### Sick Leave Accrual

All eligible employees accrue sick leave credits each pay period based on the following calculation:

$$\text{Straight time hours percentage (\%)} \text{ in pay status in a pay period} \times \text{accrual rate} = \text{Sick leave credit}$$

Examples:

Hrs Paid in Pay Period	Full Time Hrs in Pay Period	% Paid in Pay Period	Accrual
80	80	100.00%	3.70
40	80	50.00%	1.85

Sick leave for each pay period is accrued and reported at the end of the pay period and is available for use on the first day following the pay period earned, except that:

- Employees who are on personal leave without pay status do not accrue sick leave.

## **USING PAID LEAVE TO SUPPLEMENT STATE DISABILITY INSURANCE, PAID FAMILY LEAVE AND WORKERS' COMPENSATION BENEFITS**

### **Eligibility**

Employees who accrue sick leave and vacation leave are permitted to use accrued sick leave and vacation leave, as applicable by policy, to supplement temporary disability payments received under the Workers' Compensation Act, state disability insurance, and payments under Paid Family Leave ("Payments").

These Payments provide benefits up to a certain percentage of lost wages with a maximum dollar amount set by law.

NOTE: Employees may not supplement voluntary employee paid disability insurance payments with paid leave.

### **Use of Sick Leave**

Sick leave can be used along with the Payment to equal 80% of the employee's base pay when the employee is receiving i) workers' compensation leave, ii) state disability insurance, or iii) paid family leave for time spent attending the birth of a child, bonding with a child (to the extent permitted under [HR Policy 303 Sick Leave](#)) or caring for a seriously ill family member (including a mother who is considered disabled following giving birth). Note that Paid Family Leave is only available to eligible employees for six weeks in any twelve-month period; sick leave can be used without Paid Family Leave to the extent permitted under [HR Policy 303 Sick Leave](#).

### **Use of Vacation Leave**

Vacation can be used along with the Payment to equal 80% or 100% of the employee's base pay. If sick leave is also used, the employee may use vacation leave for the difference between the Payment and sick leave used to equal 100% of the employee's base pay.

Employees should discuss their desire to supplement Payments with the Benefits Office.