ARTICLE 43
VACATION

A. VACATION ACCRUALS/CREDIT

1. If a campus implements the following Factor Accrual System, an eligible employee shall earn vacation credit each month or quadri-weekly cycle based on the number of hours on pay status for that month or quadri-weekly cycle at the following rates:

Years of Qualifying Accumulated Service	Per Hour on Pay Status*	Approximate Yearly Earnings**	Maximum Balance
Less than 10	.057692	15 days	240 hours
10 but less than 15	.069231	18 days	288 hours
15 but less than 20	.080769	21 days	336 hours
20 or more	.092308	24 days	384 hours

> * Hours on pay status, including paid holiday hours, but excluding all paid overtime hours.
> ** Full-time rate.

2. For campuses retaining the Table Accrual System, an eligible employee shall earn vacation credit each month based on the number of hours on pay status for that month at the following rates:

    a. ten (10) hours per month for a full-time employee with less than ten (10) years of qualifying service;

    b. twelve (12) hours per month for a full-time employee with at least ten (10) but less than fifteen (15) years of qualifying service;

    c. fourteen (14) hours per month for a full-time employee with at least fifteen (15) but less than twenty (20) years of qualifying service; and

    d. sixteen (16) hours per month for a full-time employee with twenty (20) years or more of qualifying service.

3. Earned vacation for each month or quadri-weekly cycle is credited on the first day of the following month or quadri-weekly cycle, except that proportionate vacation credit for an eligible employee who is separating from employment shall be credited at the completion of the last day on pay status.

4. Employees in titles formerly covered by the Administrative & Professional Staff Program (A&PS) as of September 1, 1997, shall continue to accrue vacation under the A&PS schedule until whichever event occurs first: a

break in service of four (4) or more months, or transfer out of the unit. Upon return to University service after a break in service of four (4) or more months, or to the unit from a position outside the unit, such an employee shall earn vacation in accordance with Section A.1. or A.2., above.

B.   ELIGIBILITY

1.   An employee is eligible to earn vacation credit from her/his date of hire, prorated in accordance with Section A., above, if appointed at fifty percent (50%) or more of full-time for a period of six (6) months or more. An employee who is not eligible to earn vacation because of a part-time or short term appointment becomes eligible to earn vacation after six (6) continuous months or quadri-weekly cycles on pay status at fifty percent (50%) time or more. For the purposes of this Article, a month of qualifying service is a month of service at one-half (1/2) time or more and a quadri-weekly cycle is defined as two (2) bi-weekly pay periods designated by the University.

2.   An employee does not earn vacation credit for time on pay status in excess of a full-time work schedule.

C.   VACATION SCHEDULING

1.   An employee may request vacation.

2.   The University has the sole discretion to approve or disapprove vacation requests. Vacation requests shall not be unreasonably denied. An approved vacation request shall not be unreasonably canceled.

3.   Vacation leave requested by an employee will be scheduled in accordance with the University's operational needs and departmental procedures. Departmental procedures which restrict an employee's ability to schedule vacation shall be based on operational needs.

D.   VACATION CREDIT USE

No vacation shall be used prior to the time it has accrued, except as provided in Article 5 - Campus/Laboratory Closure.

E.   VACATION MAXIMUMS

1.   A full-time employee shall not accrue vacation in excess of the maximum of two (2) times the employee's annual accumulation. A part-time employee shall accrue vacation to a pro-rated maximum number of hours as a full-time employee with comparable years of service.

2.   Sixty (60) days prior to an employee accruing the maximum amount of vacation, s/he shall be given notice that the maximum accrual will be reached. The employee must request the scheduling of vacation prior to her/his reaching the maximum accrual. If the employee's request to use such accrued vacation is denied due to operational considerations, that employee shall have an additional four (4) months within which s/he must take the vacation to bring her/his vacation accruals below the maximum. Normal vacation shall continue to accrue during the additional four (4) month period.

F.   VACATION PAY

1.   Pay for accumulated vacation shall be at the employee's straight-time rate, including any shift differential paid to employees permanently assigned to a shift which provides a differential.

2.   An employee who separates from employment or who is granted extended military leave shall be paid for any accumulated vacation through the employee's last day of work, except that an employee who is retiring may use accumulated vacation up to the effective date of retirement.

3.   An employee released during her/his probationary period shall be paid for accrued vacation time.

G.   TRANSFER OF VACATION CREDIT

An employee who is transferred, promoted, or demoted to another position at a University campus in which vacation credit can be accumulated shall have any accumulated vacation credit transferred, unless such transfer is in conflict with the terms covering the new position. An employee who is transferred, promoted, or demoted to a position at a campus in which vacation credit does not accumulate shall be paid for any accumulated vacation at the time of transfer. An employee who is transferred, promoted, or demoted to or from a Lawrence Berkeley National Laboratory position shall be paid for any accumulated vacation at the time of transfer.

H.   DONATIONS FOR CATASTROPHIC LEAVE

Any bargaining unit employee may participate in a campus/hospital/LBNL 's Catastrophic Illness/Injury Leave program, if any, in accordance with the provisions of that location's program.