

## 9.00 LEAVE AND HOLIDAYS

### 9.01 DEFINITIONS

- Leave Time: is time during regular working hours in which an employee does not engage in the performance of job duties, ~~As set forth herein below~~ leave time may be either paid or unpaid.
- Holidays: are days designated by the Commissioners Court for County offices to be closed on what would otherwise be regular business days.
- Unauthorized Absence: An unauthorized absence is ~~an~~ one in which the employee is absent from regular duty without permission of the supervisor, ~~or~~ appropriate Elected Official or Department Head. Employees are not paid for unauthorized absences, and cannot use accruals to compensate for that absence.
- Full Month: for purposes of accruals only, means any month where not more than four (4) hours of leave were taken without pay within that calendar month.

### 9.02 APPROVAL OF LEAVE

All leave taken by County employees must be requested by the employee and approved by the employee's Department Head or Elected Official through the County's Time and Attendance system. The Department Head or Elected Official is responsible for determining that employees are eligible for leave and have adequate leave time to permit the time off as requested by the employee.

If an employee fails to timely submit an appropriate leave request as required by the policies in this manual, the department may make deductions from the employee's available leave balances.

### 9.03(a) ANNUAL LEAVE

Employees begin to earn annual leave on the last day of the first full calendar month of employment and thereafter on the last day of each subsequent full calendar month of employment. A full month means any month where not more than four (4) hours of leave were taken without pay within that calendar month. This means that employees do not earn annual leave until the last day of each full month of employment. In addition, new employees ~~can~~ may use their annual leave ~~or personal day~~ during the first 90 days of employment.

Annual leave is awarded according to the following schedule:

<u>Years of Service</u>	<u>Hours earned monthly</u>	<u>Working days earned annually</u>
Less than 5 years	8 hours	12 working days
Less than 10 years	9 hours	13.5 working days
Less than 15 years	10 hours	15 working days
Less than 20 years	11 hours	16.5 working days
Less than 25 years	12 hours	18 working days
Less than 30 years	13 hours	19.5 working days
Thirty years and over	14 hours	21 working days

The amount of annual leave to which a full-time employee is entitled is calculated by determining the number of years of continuous, uninterrupted service with the County that the employee has as of his/her anniversary date. For purposes of this paragraph, separation from county employment for less than 90 days will not affect length of service with the County.

Neither regular part-time employees nor temporary employees are eligible for annual leave. Although regular part-time employees and temporary employees do not earn annual leave or other benefits, they may be permitted, at the discretion of the Department Head or Elected Official to take unpaid leave as permitted by the needs of the department.

The maximum amount of annual leave that an employee may carry over from one fiscal year to the next is twenty-two days or 176 hours. Any accrued annual leave remaining on the last day of the fiscal year in excess of this limit will be forfeited.

An employee who is transferred from one department will be allowed to transfer his or her compensatory time, accrued annual leave, and personal days only if the new Department Head is in agreement. If there is no such agreement, the employee must use all accumulated compensatory time, accrued annual leave and personal days prior to the transfer. The foregoing requirement shall be a condition of the employee's transfer.

Annual leave to be taken by an employee shall be in the amounts and at the times approved by the Department Head or Elected Official who shall schedule annual leaves in the manner least disruptive to the operations of the department. Seniority may be used as the basis for resolving any conflict among annual dates requested by employees within a department.

### **9.03 (b) COLLECTIVE BARGAINING AGREEMENT FOR WEBB COUNTY DEPUTY SHERIFF'S ASSOCIATION**

Bargaining Unit Members will continue to accrue vacation time in accordance with the current County Policy. However, officers will be allowed to carry over two hundred (200) hours of vacation time into the next fiscal year. Upon separation of employment, excluding the retirement provision of this agreement, the County shall pay out the officer at his regular rate, for up to 176 hours, of vacation time.

*Excerpt from Collective Bargaining Agreement (2015-2020)*

### **9.04 PERSONAL DAYS**

A new employee, upon completion of six (6) months or the probationary period, shall ~~receive one personal~~ Employees receive one personal day on the first day of each quarter of the fiscal year, i.e. October 1, January 1, April 1, and July 1. An employee must ~~be on paid status~~ not have taken more than four (4) hours of leave without pay within each calendar month in the prior quarter. ~~on each of those days or will not receive a personal day for that quarter~~ Personal Days cannot be advanced by the department head.

Personal days ~~can be saved up and used in a different quarter than~~ they were earned. Personal days continue to be forfeited if they are not used by the end of the ~~fiscal year~~ <sup>Quarter</sup> in which they were earned.

Personal days can only be taken in increments of a full day. For example, an employee cannot use half of a personal day and use the other half at another time.

*Approved November 14, 2011*

### **9.10 (a) HOLIDAYS**

Prior to the start of the fiscal year, the Commissioners Court will adopt the Holiday Schedule for that year. Holidays can be changed from year to year by vote of the Commissioners Court.

Holiday pay is defined as 8 hours of annual leave automatically given to "Full Time" hourly employees on each designated County holiday unless prohibited by Collective Bargaining agreement. Any "Full Time" hourly employee who physically works on a designated County Holiday shall be paid for all the weekly hours physically worked first and that portion of the Holiday pay hours earned shall be applied if needed to complete the 40 hour work week with the remainder of the holiday pay hours banked as annual leave.

If an employee is on leave without pay and the holiday falls during that leave the holiday shall not be paid and will not be accrued. (Proposed and recommended for adoption 7/20/17).

JJAEP employees are not excused from work on the holidays established by the Commissioners Court but shall take the holidays identified on the academic calendar as established by the Juvenile Board.

Official County holidays occurring during an employee's annual leave or sick leave shall not be counted against leave use. A County employee who is paid out of a combination of State and County funds is entitled to take the above mentioned holidays only, and is not entitled to take state holidays which are not offered by the County.