

## TIME OFF GUIDELINES

### HOLIDAYS

Paid holidays are an important employee benefit which the Archdiocese provides for eligible employees. The following list includes holidays traditionally given to Archdiocesan employees.

#### Recommended Holiday Schedule

- Martin Luther King, Jr. Day
- Presidents' Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve
- Christmas Day
- New Year's Eve
- New Year's Day

It is recommended that parishes and schools implement the same or similar holiday schedule. Schools to include Easter and Christmas breaks.

#### Holiday Guidelines

1. Update the holiday schedule for each year and communicate to employees in advance.
2. All regular full-time employees are eligible for paid holiday time.
3. Regular part-time employees (must work at least 20 hours/week) are paid holiday time based on hours regularly worked each week.
4. Other part-time employees (work less than 20 hours/week) are not eligible for paid holiday time.
5. For working on a designated holiday, non-exempt employees are paid overtime (double time) instead of receiving the time off, while exempt employees receive a day off to be scheduled within 60 days of the holiday, at a time acceptable to both the employee and the supervisor.



## VACATION

The following are guidelines for a recommended vacation policy.

### Vacation Policy

New regular full-time (35 - 40 hours/week) and new part-time employees (20 or more hours/week) begin to accrue vacation time upon date of hire and may take vacation after completion of the introductory period. Accrual rates for part-time employees are pro-rated, based on hours regularly scheduled to work.

The recommended vacation accrual policy provides that an employee may accrue:

- 2 weeks vacation per year for the first 5 years of employment
- 3 weeks vacation per year for 5 or more years of employment

Employees who have completed 15 years of employment will be granted an increase of one vacation day for each year over 15 years of employment, up to a total of five additional days. Therefore, on the completion of 20 years of employment, the employee will accrue a total of 20 days vacation.

#### Please note:

- The maximum amount of vacation that any employee may accrue is twice the amount of that employee's annual vacation. No further vacation time may be accrued until the balance is reduced below the maximum.
- Vacation cannot be taken before it is accrued.
- Employees cannot be paid instead of taking vacation.
- At termination, an employee must be paid any accrued, but unused vacation.

### Vacation Accrual Formula

$$\frac{\text{Total hours allotted for vacation}}{\text{Total number of pay periods/year}} = \text{Hours accrued per pay period}$$

The vacation accrual formula can be used to calculate vacation accrual rates for both full-time and part-time employees. This formula can be used to calculate accrual rates for any schedule by: Dividing the applicable total hours allotted for vacation/year by the total number of pay periods scheduled per calendar year.



## Examples of Vacation Accrual Rate Calculations for Full Time Employees

### **Vacation Accrual: FT (35 - 40 Hours/Week) Employed Less than 5 Years**

Full-time employees employed for less than 5 years are eligible for 2 weeks vacation (80 hours or 10 days) and may accrue up to a maximum of 4 weeks vacation (160 hours or 20 days). For example:

A regular full-time employee (40 hour/week) who accrues 2 weeks vacation (80 hours) per year and is paid in 26 pay periods accrues 3.08 hours vacation per pay period according to the following formula:

$$\frac{80 \text{ hours vacation accrued/year}}{26 \text{ pay periods}} = 3.08 \text{ hours vacation accrued/pay period}$$

Maximum Accrual Allowed: 160 hours ( 2 x 80 hours/year)

### **Vacation Accrual: FT (35 - 40 Hours/Week) Employed 5 or More Years**

Employees employed for 5 or more years are eligible for 3 weeks vacation (120 hours or 15 days) and may accrue up to a maximum of 6 weeks vacation (240 hours or 30 days). For example:

A regular full-time employee (40 hours/week) who accrues 3 weeks vacation (120 hours) per year and is paid in 26 pay periods accrues 4.61 hours vacation per pay period according to the following formula.

$$\frac{120 \text{ hours vacation accrued/year}}{26 \text{ pay periods}} = 4.62 \text{ hours vacation accrued/pay period}$$

Maximum Accrual Allowed: 240 hours (2 x 120 hours/year)



## Examples: Pro-Rated Vacation Accrual Rates for Part-Time Employees

### **Vacation Accrual: PT (20 hours/week)      Employed Less than 5 Years**

Example: A part-time (20 hour/week) employee, employed for less than 5 years, is eligible for a pro-rated 2 weeks (20 hrs/week x 2 weeks vacation = 40 hours) vacation per year and may accrue up to a maximum of 80 hours (2 x 40 hrs/year).

If paid over 26 pay periods per year, the employee accrues 1.54 hours vacation per pay period according to the following formula:

40 hours vacation accrued per year = 1.54 hours vacation accrued/pay period

26 pay periods

Maximum Accrual Allowed: 80 hours ( 2 x 40 hours/year)

### **Vacation Accrual: PT (30 hours/week)      Employed 5 or More Years**

Example: A part-time (30 hour/week) employee, employed for 5 or more years, is eligible for pro-rated 3 weeks (30 hrs/week x 3 weeks vacation = 90 hours) vacation per year and may accrue up to a maximum of 180 hours (2 x 90 hours/year).

If paid over 26 pay periods per year, the employee accrues 3.46 hours vacation per pay period according to the following formula:

90 hours vacation accrued per year = 3.46 hours vacation accrued/pay period

26 pay periods

Maximum Accrual Allowed: 180 hours ( 2 x 90 hours/year)



## **PAID SICK LEAVE**

California law currently requires that all employers must provide a minimum amount of paid sick leave to all employees. To address the law's mandates, the Archdiocesan guidelines have been updated.

The Archdiocese has and recommends a policy of 10 days of paid sick time off per year for all full-time, regular employees and a pro-rata amount of leave for part-time employees. If you have implemented the Archdiocesan sick leave policy, you should continue to implement the policy and update it in accordance with the guidelines below.

**Locations that have not previously provided paid sick leave must comply with the minimum state paid sick leave requirements effective July 1, 2015. Those requirements are also outlined below. Locations should also be aware that certain cities or counties may require different amounts of sick leave.**

### **Archdiocesan Recommended Paid Sick Leave Policy and Guidelines**

- Regular full-time (40 hours/week) employees accrue 10 days or 80 hours sick leave per year (8 hours/day x 10 days/year = 80 hours sick pay per year). Locations may provide employees who are scheduled to work for 35 hours or more the same amount of paid sick leave as employees who are scheduled to work for 40 hours.
- Regular part-time employees (including temporary, joint, occasional employees and interns) accrue pro-rated paid sick leave based upon the number of hours they are regularly scheduled to work each week.
- The formula for determining the number of paid sick leave hours a non-40 hour a week employee earns per pay period is:
  - Divide the number of hours worked per week by 40 to arrive at the part-time rate of accrual (e.g., 20 hours/week ÷ 40 = 0.5 rate)
  - Use the result of this division and multiply by the number of hours of sick pay per year for a full-time employee (e.g., 0.5 x 80 = 40)
  - Use the result of this multiplication and divide that result by the number of pay periods at the location (e.g., 40 ÷ 26 pay periods = 1.54)

The outcome of this calculation provides the number of pro-rated hours the employee earns per pay period. For a more detailed explanation, see the examples below.

**Note:** Locations that wish to pro-rate paid sick leave accrual based on the number of hours part-time employees work may not drop the accrual rate below 1 hour for every 30 hours worked (or 2 minutes for every hour worked).



- Unused accrued sick leave is carried over from the previous year and accrues to a maximum of 30 days (240 hours) for full time employees. Part-time employees may accrue unused sick leave up to a maximum of three (3) times their pro-rated number of hours earned. See formulas below for more details. Unused sick leave balance is **not** paid out upon termination.
- Employees may use the number of paid sick leave hours they have accrued in one year or have carried over.
- Locations may choose to deduct accrued sick leave hours from exempt employees only for whole days off sick. Partial sick days are paid as regular salary.

### **Minimum Sick Paid Leave Required By State Law**

Under the State’s paid sick leave regulations, employees are eligible for paid sick leave if they are on an employer’s payroll for more than 30 calendar days. All employees who work more than 720 hours per year are entitled to take up to 5 days (40 hours) of paid sick leave per year, **accrued** at a minimum of 1 hour for every 30 hours worked. Employees who work less than 720 hours per year, accrue at the rate of 1 hour for every 30 hours worked, and may take that accrued time off during the year. Different accrual rates are allowed, provided that employee have at least 24 hours of accrued sick leave or paid time off by the 120th calendar day of employment and 40 hours by the 200th calendar day of employment. Unused sick leave must be carried over to the following year. Employers may “cap” the accrual of unused sick leave at 10 days (80 hours).

In the alternative, employers may provide a “**bank**” of 5 days (40 hours) of sick leave at the beginning of the year for employees to draw upon throughout the year. No accrual is required. No carryover of unused sick leave is required. Under this method, a fresh bank of 3 days of sick leave must be provided at the beginning of each year.

Employees may begin to use their accrued sick leave after working for 90 days. No payout of unused sick leave is required at termination.

**Notwithstanding the provisions of state law, adoption of the Archdiocesan guidelines satisfies the legal requirements – see Handbook Section 5.8.2.**



**Example of Sick Time Accrual Calculation for Full Time  
Employees  
Under Archdiocesan Guidelines**

**Sick Time Accrual: Full-Time\***

A regular Full Time (40) hours/week employee accrues 10 days (80 hours) sick leave per year (10 days x 8 hours/day = 80 hours/year).

If paid over 26 pay periods per year, the employee accrues 3.08 hours sick leave per pay period. (80 hours of sick leave ÷ 26 pay periods = 3.08 hours sick leave accrued per pay period)

Maximum Accrual: 240 hours (30 days x 8 hours/day); no payout at termination.

\* Locations may provide employees who are scheduled to work for 35 hours or more the same amount of paid sick leave as employees who are scheduled to work for 40 hours. No prorating is required.

**Examples of Sick Time Accrual for Part Time Employees  
Under Archdiocesan Guidelines**

**Sick Time Accrual: Pro-Rated for Part-Time**

**Example 1:** An employee works half time (20) hours/wk. The employee accrues 40 hours sick leave per year on a prorated basis

(20 hours/wk ÷ 40 hours/wk for full-time = 0.5 accrual rate. 0.5 x 80 hours = 40 hours).

If paid over 26 pay periods per year, the employee accrues 1.54 hours sick leave per pay period. (40 hours of sick leave ÷ 26 pay periods = 1.54 hours sick leave accrued per pay period)

Maximum Accrual: 240 hours x 0.5 accrual rate = 120 hours

**Example 2:** An employee works part time (15) hours/week. The employee accrues 30 hours of sick leave per year on a prorated basis.

(15 hr/wk ÷ 40 = 0.375 accrual rate. 0.375 x 80 hours = 30 hours)

If paid over 26 pay periods per year, the employee accrues 1.15 hours sick leave per pay period. (30 hours of sick leave ÷ 26 pay periods = 1.15 hours sick leave accrued per pay period)

Maximum Accrual: 240 hours ÷ 0.375 = 90 hours; no payout at termination.



## Examples of Sick Time Accrual for Part Time Employees under State Law

### Example 1:

**Location adopts State Law policy using accrual method and a “cap” of 10 days (80 hours) accrued paid sick leave.** For more details call Human Resources.

Employee works 8 hours/ week.

Employee accrues 1 hour of paid sick leave for every 30 hours worked. Employee works 416 hours during the year (8 hours x 52 weeks = 416). Employee accrues 13.87 hours of paid sick time ( $416 \div 30 = 13.87$ ) during the year and may carry over the unused leave until she reaches 10 days (80 hours) of accrued time.

The Location may limit the number of days the employee may take sick time off to 5 days (40 hours) per year.

Accrual rate: 1 hour/30 hours worked; maximum accrual: 10 days (80 hours). No pay-out at termination.

### Example 2:

**Location adopts the “bank” of 5 days of sick leave method.**

All employees, regardless of number of hours worked, receive a 5-day bank (80 hours) of sick leave at the beginning of each year. No accrual. No carry-over. No pay-out at termination.



## **Joint Employees**

If one or more locations share an employee (“joint employee”), contact Human Resources for guidance on how to manage sick leave for the employee.

## **Use of Paid Sick Leave**

Employees may use paid sick leave as follows:

- For the diagnosis, care, or treatment of an existing health condition of, or preventive care for, the employee or the employee’s
  - Child, stepchild, legal ward, or a child to whom the employee stands in loco parentis regardless of age or dependency status
  - Biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee’s spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child
  - Spouse or registered domestic partner
  - Grandparent, grandchild
  - Sibling.
  
- To address matters that arise when the employee is the victim of domestic violence, sexual assault, or stalking (see <http://handbook.la-archdiocese.org/chapter-5/section-5-8/topic-5-8-4>).

If the need for paid sick leave is foreseeable, the employee shall provide reasonable advance notification. If the need for paid sick leave is unforeseeable, the employee shall provide notice of the need for the leave as soon as practicable.

Locations shall provide payment for sick leave taken by an employee no later than the payday for the next regular payroll period after the sick leave was taken.

## **Written Notice of Sick Leave Availability**

Locations must provide an employee written notice that outlines the amount of paid sick leave available to the employee, or the paid time off leave the location provides in lieu of sick leave, on either the employee’s itemized wage statement (paycheck stub) or in a separate notice given to the employee on the designated pay date with the employee’s payment of wages.

## **Reinstatement of Accrued Sick Leave After Rehire**

If an employee leaves and is rehired by the location within one year from the date of separation, previously accrued and unused paid sick days shall be reinstated. The employee shall be entitled to use those previously accrued and unused paid sick days and to accrue additional paid sick days upon rehiring.



## **No Retaliation**

Locations shall not deny an employee the right to use accrued sick days. Locations may not terminate, threaten to terminate, demote, suspend, or in any manner discriminate against an employee for:

- Using accrued sick days
- Attempting to exercise the right to use accrued sick days
- Filing a complaint with the Department of Industrial Relations
- Cooperating in an investigation or prosecution of an alleged violation of the sick pay laws, or
- Opposing any policy or practice or act that is prohibited by law.

