

**ARTICLE 9  
HOLIDAYS AND VACATIONS**

**9.1 Holidays**

There are sixteen paid holidays each year including all legal school holidays. These include the holidays listed below as designated for each school year. Workers shall be entitled to any other holiday declared by the President or the Governor that provides for community colleges to be closed or any holiday approved by the Board of Trustees.

- Independence Day
- Cesar Chavez Day (Friday before Labor Day)
- Labor Day
- Veterans Day
- Thanksgiving (2 days)
- Christmas Eve
- Christmas Day
- Day after Christmas
- December Holiday\*
- New Year's Eve
- New Year's Day
- Dr. Martin Luther King, Jr. Day
- Lincoln's Day
- Washington's Day
- Memorial Day

When the holiday falls on a Sunday, it shall be observed on the following Monday. When a holiday falls on a Saturday, it shall be observed on the preceding Friday unless another day is provided for by the Education Code or agreed upon by the parties. When a holiday falls within a worker's vacation, the holiday will not count as a day of vacation. Workers may use personal necessity leave time for observance of their religious holidays providing such absences are approved in advance by the supervisor or the Director of Human Resources.

To be eligible for holiday pay, a worker must be in paid status either the working day before or the working day following the holiday. In addition, each worker who is not regularly scheduled to work on the day on which the holiday falls shall be entitled to observe the holiday on another workday designated by the District unless the day is mutually agreed upon by the employee and the supervisor.

Classified hourly employees shall be eligible for pro-rata holiday pay as a percent of a full-time contract when the holiday falls on a regularly scheduled work day or if the employee is in paid status on the day before or day after a holiday except that employees will be paid for the December 25 and January 1 holidays if they were in paid status during any portion of the work day of their normal assignment immediately preceding or following the holiday period.

With the exception of the December Holiday\*, if a worker is required to work on a holiday, the worker shall be compensated as follows:

- 9.1.1 The worker will receive pay at the regular hourly rate, and
- 9.1.2 The worker will receive pay at the overtime rate for the number of hours worked on the holiday.

Approval to work on a holiday must be granted in advance, and the entry on the time report must be initialed by the supervisor.

No classified hourly employee will be required to work on a holiday except for the December Holiday\*. Workers who are required to work on the December Holiday shall be entitled to a floating holiday to be taken between January 1 and June 30 and shall not be entitled to pay at the overtime rate for the hours worked. The holiday will be scheduled by mutual agreement between the worker and the supervisor. Workers who do not take the floating holiday by June 30 will forfeit the holiday.

## 9.2 Vacations

### 9.2.1 Full-Time Workers

No worker may use vacation time until the first of the calendar month after he/she has completed six months of employment in the District, and all hours of vacation credited to a probationary worker during his/her first six months of employment shall be contingent upon the worker's completion of six months of employment. Therefore, probationary workers who leave the service of the District before completing six months of employment will receive no vacation pay. Terminating workers who have completed more than six months of employment will be paid for that portion of their earned vacation, which they have not used. When a worker terminates, the last day actually worked by the worker shall be the effective date of termination.

Full-time workers shall earn 6.66 hours of vacation for each calendar month (10 days per 12 month year) completed in the service of the District. If a worker joins the District staff after the tenth calendar day of the month, vacation will be prorated for the duration of the month.

Workers who have been continuously employed by the District for a period of three years shall, at the beginning of the fourth year, accrue vacation leave at the rate of 10 hours of vacation per month (15 days per 12 month year). Workers who have completed seven years of employment with the District shall at the beginning of the eighth year, accrue vacation leave at the rate of 13.33 hours of vacation per month (20 days per 12 month year). Workers who have completed thirteen years of employment with the District shall, at the beginning of the fourteenth year,

accrue vacation leave at the rate of 16 hours of vacation per month (24 days per 12-month year).

**9.2.2 Full-Time, Eleven-Month, Ten-Month, and Academic-Day Workers**

Eleven-month, ten-month, and academic-day workers shall earn vacation leave in the manner specified on Section 9.2.1 within the limitations outlined in section 9.2.4.

**9.2.3 Part Time Workers**

Workers who work fewer than 40 hours per week are entitled to that proportion of vacation earnings granted full-time workers that is equal to the percent of a full time contract.

**9.2.4 Classified Hourly Employees**

Classified hourly employees shall be eligible to accrue two weeks of paid vacation annually earned on a pro-rata basis and calculated on actual hours worked.

Accrual rates for classified hourly employees shall be based on twice the length of service required for full-time workers. That is, after six years of continuous employment by the District, at the beginning of the seventh year of employment classified hourly employees shall earn 15 days (3 weeks) per 12 month year; after 14 years of continuous employment by the District, at the beginning of the fifteenth year of service, classified hourly employees shall earn 20 days (4 weeks) per 12 month year; and after 28 years of continuous employment by the District, at the beginning of the twenty-ninth year of service, classified hourly employees shall earn 24 days per 12 month year. Prorating shall be in accordance with Articles 9.2.3 and 7.6.7.

No classified hourly employee may use vacation time until the first of the calendar month after he/she has completed six months of employment in the District and all hours of vacation credited to a probationary classified employee during his/her first six months of employment shall be contingent upon the employee's completion of six months of employment.

Vacation is taken in the year it is earned or in the following year. In no case shall a classified hourly employee accumulate more than two years of accrued vacation. When the accumulated vacation balance exceeds the limit, the classified hourly employee ceases to earn vacation until such time as the vacation balance is reduced below the maximum accrual.

Normally, classified hourly employees in Academic Day only positions take vacation during scheduled breaks in the academic calendar including finals week.

### 9.2.5 Accumulated Vacation Leave

Vacation leave may be used in increments of not less than one hour. In the event that a worker has no appropriate leave available such as personal necessity leave or compensatory time, a worker may use vacation in one-hour increments.

Workers may accumulate a maximum of two years of accrued vacation. When the accumulated vacation balance exceeds these limits, a worker ceases to earn vacation until such time as the vacation balance is reduced below the maximum earnable. Workers who reduce their contract (partial unpaid leave, extended sick leave) have vacation accrual prorated by the percent of contract reduced.

A worker will be notified by a notice on his/her paycheck when he/she is within two pay periods of reaching his/her maximum vacation accrual for two years. If the worker is within two pay periods of reaching his/her maximum accrual of vacation, he/she will meet with the supervising manager to schedule vacation so that the worker does not lose any vacation to which he/she is otherwise entitled.

### 9.2.6 Scheduling Vacation Leave

Generally, each worker should be given a choice of time for vacation but the District reserves the right to schedule vacation leave at its convenience provided that every attempt is made to schedule vacation leave so that workers who choose to do so have at least five consecutive work days off and that such scheduling is not done in an arbitrary and capricious manner. Notwithstanding the District's right to schedule vacation leave, no worker who has received notice of layoff because of lack of work or lack of funds shall be placed on vacation leave without her/his consent during the 30 days immediately preceding the effective date of layoff.

In case two workers in the same group wish to take vacations at the same time, first choice of vacation time will go to the person with the longest service in the District. After a schedule has been set, if a worker wishes to change vacation time, he/she may do so only if the change does not require any other worker to change a scheduled vacation.

If a worker becomes seriously ill or is injured during a scheduled vacation period, the worker may submit a signed statement from a physician that the worker was unable to continue the vacation and have the time deducted from earned sick leave. The balance of the vacation may then be rescheduled.