Policy 3001

From Human Resources

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PERSONNEL POLICY MANUAL
MoDOT Personnel Policy Title: Annual Leave **Policy Number**: 3001 **Chapter Title**: Leaves of Absence **Effective Date**: July 1, 2010 **Supersedes Policy Number**: 3001 **Dated**: July 1, 2009
Approved By: Micki Knudsen, Human Resources Director (Signature on file)

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POLICY STATEMENT

Salaried and eligible permanent part-time employees will accrue annual leave (vacation) for each pay period during which they have been on the payroll (work or paid leave) for 40 or more regular hours. The accrual and use of annual leave for salaried and eligible permanent part-time employees will be as described in this policy.

PROVISIONS / REQUIREMENTS

1. Annual leave may not be used until the hours have been credited to an employee's leave balance in the SAM II HR/Payroll System. The employee's supervisor must approve use of annual leave in advance of the employee taking time off from work. Annual leave must be taken in a minimum of 15-minute increments.

2. Annual leave is accrued at variable rates based on the employee's tenure with Missouri state agencies for which employment can be verified. Rates for accruing annual leave and the accrual limits for employees are shown below:

Years With Missouri Government	Maximum Accrual Rate Per Pay Period	Accrual Limit
Less than 10	5 hours	240 hours
From 10 to less than 15	6 hours	288 hours
15 or more	7 hours	336 hours

3. Employees will accrue annual leave at the full-time rate described in paragraph 2 each pay period they are on payroll for 80 or more hours. Employees will accrue annual leave at one-half of the full-time accrual rate each pay period they are on payroll for 40 hours. Employees will accrue a prorated amount of annual leave according to the percent of time they are on payroll between 40 and 80 hours.

4. The accrual limits stated in paragraph 2 will be applied as follows:

A. At the end of each 12-month period from November 1 through October 31, annual leave balances exceeding the maximum accrual limits will lapse and be reduced to the allowed accrual limit. These adjustments will be made based on the employee's annual leave balance in the SAM II HR/Payroll System following the last regular payroll run for the month of October.

B. Annual leave accrued with other Missouri state agencies prior to employment with the department may be transferred to the department as annual leave credit, provided the individual assumes employment with the department within 30 days after terminating from

the payroll of the other agency. The individual may transfer up to their accrual limit. Colleges/universities in Missouri and some other public entities or organizations are not considered “state agencies” under this policy. The transfer of accrued annual leave from one of these organizations will be allowed only if the State of Missouri has a “Leave Reciprocity” agreement with the organization. Contact the local human resources office to learn if an organization has signed a Leave Reciprocity agreement with the state.

C. Salaried and permanent part-time employees who are retiring or terminating employment with the department will be paid for their accrued time, up to their accrual limit, after their last day on payroll.

5. If an official holiday falls on an employee's normal workday and the employee is scheduled to be on annual leave, the employee will not be charged eight hours of annual leave for this day.

6. Employees who sustain a lost time, compensable injury on the job may elect to receive payment for part or all of their accrued annual leave and/or compensatory time concurrently with weekly workers' compensation indemnity payments. Refer to Personnel Policy 0507, "Workers' Compensation." The accrued annual leave and/or compensatory time paid cannot exceed the number of days the employee is eligible for workers' compensation indemnity payments. While receiving workers’ compensation indemnity payments, employees will continue to accrue annual leave based on the rates stated in paragraph 2.

7. Employees who are terminating or taking an approved leave of absence without pay do not accrue additional annual leave following their last day of work, unless using paid leave while off work due to an illness/injury/condition. If any illness/injury/condition is involved, documentation from a treating physician will be required.

8. At the discretion of the district engineer or division leader/state engineer or designee, employees who are retiring may elect to use all or a portion of their accrued annual leave (or compensatory time) to bridge the time between their last day of work and their effective date of retirement. This time will be considered as creditable service in the retirement system. Once employees have signed their retirement papers, they will continue to accrue annual leave while using paid leave between their last day of work and their effective date of retirement.

9. Employees who have been granted a long-term (three months or longer) military leave or educational leave without pay have the option of retaining any portion of annual leave and/or compensatory time, up to their accrual limit. Any annual leave or compensatory time paid will be considered as creditable service in the retirement system. Refer to Personnel Policies 3502, “Military Service or Training Leave,” and 3504, “Educational Leave Without Pay.”

10. In the event of the death of an employee, compensation for any accrued annual leave (including that which may be beyond their accrual limit) shall be forwarded to the employee's designated beneficiary or to his/her estate.

11. When an employee is approved to take a leave of absence without pay, including unpaid Family and Medical Leave Act (FMLA) leave, he/she must determine in advance if he/she wants to use a portion or all of his/her accrued annual leave and/or compensatory time. If an employee

elects to utilize any of his/her annual leave and/or compensatory time, it must be used prior to changing to leave without pay status. Once leave without pay status has started, intermittent use of annual leave and/or compensatory time will not be allowed, except as appropriate in cases of intermittent FMLA leave. Refer to Personnel Policy 3512, “Family and Medical Leave.”

12. An employee on suspension without pay due to a felony charge has the option to use a portion or all of his/her accrued annual leave and/or compensatory time (not to exceed the time on suspension). At the discretion of the district engineer or division leader/state engineer, employees on suspension for reasons other than a felony charge may be allowed to use annual leave or compensatory time while on suspension. The time must be used consecutively and will be counted as creditable service in the retirement system. Although paid leave may be used after the last day worked, the employee will not accrue annual leave while on suspension. Refer to Personnel Policy 2500, “Standard Rules of Conduct.”

CROSS REFERENCES

Personnel Policy 0507, “Workers’ Compensation”

Personnel Policy 2500, “Standard Rules of Conduct”

Personnel Policy 3502, “Military Service or Training Leave”

Personnel Policy 3504, “Educational Leave Without Pay”

Personnel Policy 3512, “Family and Medical Leave”

PROCEDURE

Procedure 3001, "Annual Leave"

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