

3-02/030.45 - Vacations

Los Angeles County Code Chapter 6.18 outlines the provisions governing vacations for County employees.

Beginning with the pay period starting on March 1, 1993, all eligible employees accrue vacation leave time on a pay-period basis. Vacation leave time is based on the employee's qualifying hours and Vacation Accrual Rate.

Employees who are on sick leave due to a compensable industrial injury or illness are allowed to earn vacation and sick leave benefits during the time they are receiving remuneration provided under Workers' Compensation.

The vacation hours that an eligible employee may accrue during a calendar year shall be based on the Vacation Maximum Hours given in Table 1A of the County Code corresponding to an employee's Vacation Years of Service.

County employees shall not work overtime while using vacation time except in two specific circumstances:

Pre-approved special projects: When the Chief Executive Officer or Department Head gives approval for employees to do so on certain projects, such as the Olympics or the Rose Parade;

Court time other than during shift hours: When an employee is off work using vacation time and, because of a subpoena, must appear in court on behalf of the Department during hours that are not the employee's regular work shift hours. Employee shall earn overtime for those hours they must appear in court that are not during their regular shift hours, (e.g., if an employee's regular shift hours are on PM or EM shift, and the employee is off using vacation time, and must appear in court on behalf of the Department during the AM shift hours, the employee may earn overtime for the time period attending court during the AM shift hours).

When an employee is off work using vacation time and because of a subpoena, is to appear in court on behalf of the Department during regular work shift hours, the employee shall be taken off vacation for that day, returned to work, and appear in court on County time. No overtime shall be earned for those hours the employee attends court during regular shift hours (e.g., if an employee's regular shift hours are on the AM shift and the employee is off from work using vacation time and, because of a subpoena, must appear in court during the AM shift hours, the employee shall be taken off vacation, returned to work, and appear in court on County time during the AM shift hours).

When an employee is off work using vacation time immediately prior to and after his regular-days-off (RDO), the employee shall not work overtime on those RDO's, with the exception of Must Appear Court Time. The employee attending court on those RDO's will earn overtime (e.g., when an employee is off work using vacation time the Friday before his RDO's [Saturday and Sunday] and still remains on vacation that following Monday, the employee is not eligible to work overtime on that Saturday or Sunday).

No person, while on vacation from any public entity, as defined in section 6.04.080 of the County Code (including the County of Los Angeles), shall be permitted to work for any public entity in any capacity, if they are to receive regular compensation for such work in addition to their regular vacation pay.

A holiday occurring during a vacation period shall not be considered a working day. County employees shall

not work overtime on such a day. Vacation time is a 24-hour variance.

Deferred Vacations

Department policy allows personnel to defer vacation time to a maximum accumulation of 480 hours, in accordance with the County Code.

Employees who accumulate vacation time in excess of 480 hours shall submit an Absence Request Form (SH-R-96), which requires unit commander approval for the purpose of using the excess time. This request must identify the time as excess and be submitted within 90 days after the accumulation. Because the County Code gives the Department authority to grant, schedule, and defer vacation time in excess of 480 hours, failure to comply with the 90-day requirement shall result in employees being scheduled off for the excess vacation time by management without consideration of employees' time preference.

All vacation time in excess of 480 hours shall be used within the same vacation year. If, at the end of the year, an employee still has current and deferred vacation in excess of 480 hours, the employee's balance of available vacation hours shall be reduced by the number of hours in excess of 480. The employee shall be compensated for the reduction, on an hour-for-hour basis, at the employee's workday rate of pay in effect on the last day of the year of deferment.

See chart below for illustration of the allowed deferment:

Year-End Adjustments Using 480-Hour Cap

| | End of Year 1 (no time used) | End of Year 2 (no time used) | End of Year 3 (no time used) | End of Year 4 (no time used) | End of Year 5 (no time used) |
|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|
| Earned | 160 | 160 | 160 | 160 | 160 |
| Subtotal | 160 | 320 | 480 (annual cap reached) | 640 (annual cap exceeded) | 640 (annual cap Exceeded) |
| Payout excess hours over 480 | 0 | 0 | 0 | 640-480= 160 | 640-480= 160 |
| Balance | 160 | 320 | 480 | 480 | 480 |

Vacation Scheduling

Personnel in a given unit who have the most seniority in service in this Department shall be given first choice of scheduled vacation time within the unit. Personnel acquired through mergers shall use the date established by the terms of the merger with the merged agencies to establish seniority for scheduling vacation.

For sworn members, seniority in service for purposes of scheduling vacation time includes civilian service

time with this Department only.

An employee hired by the Department as a civilian employee on January 1, 1980, and who then becomes a Deputy Sheriff on January 1, 1984, will have a January 1, 1980, seniority in service date for the purpose of vacation scheduling.

Any other prior County service time shall not be credited toward seniority service for vacation scheduling purposes. Should a break in service occur, seniority in service for vacation scheduling shall be based on the following:

If an employee's break in service occurred prior to October 26, 1979, the employee shall be given an adjusted continued service date. This date shall establish seniority in service; or

If an employee's break in service occurred on or after October 26, 1979, the employee's new hire date shall be the date used as seniority in service.

All other employees in the unit shall be given their choice in descending order of length of service with this Department.

Should a situation arise where two or more employees within a unit have the same seniority in service date, then the employee with the most time in the unit shall have first choice.

Employees transferring to the unit after the vacation schedule has been completed should waive seniority rights until the next annual vacation schedule is prepared.

Regardless of seniority, vacations shall be taken at such time as is authorized by the Department.