

VACATION LEAVE FORFEITURE FOR FAILURE TO USE ABOVE THE MAXIMUM

Bulletin Number: 2010-0005
 Issue Date: 12-1-10

PURPOSE

Employees must use any accrued vacation, which is beyond the maximum (480 hours prorated to reflect the employee's normally scheduled workweek) by the yearend payroll period which includes December 31st. Any vacation accruals remaining beyond the maximum at yearend will be forfeited. Department directors may approve a carryover of vacation hours into the next payroll year under very limited and exceptional circumstances which are subject to reporting requirements.

OVERVIEW: Section 3.12.190(E) of the King County Code provides:

Employees eligible for vacation leave may accrue up to sixty days vacation leave, prorated to reflect their normally scheduled work day. Such employees shall use vacation leave beyond the maximum accrual amount prior to December 31 of each year. Failure to use vacation leave beyond the maximum accrual amount will result in forfeiture of the vacation leave beyond the maximum amount unless the appointing authority has approved a carryover of such vacation leave because of cyclical workloads, work assignments or other reasons as may be in the best interests of the county.

Under these revised procedures, the appointing authority is the department director. It is the responsibility of departmental management to actively educate employees about maximum vacation accrual issues and to administer the work unit in a manner which limits the potential for vacation accrual carryover requests. Likewise, it is the responsibility of each employee to manage his or her workload and vacation usage in a manner which would avoid the potential for requesting a vacation accrual carryover.

PROCEDURES

Vacation carryover requests are approved by department directors and are processed as follows:

1. The employee submits his or her written vacation carryover request to the division appointing authority who is usually the division director, via a memorandum. The memorandum should detail the reason for the request, including those circumstances which prevented him or her from requesting and/or using vacation accruals prior to the end of the year.
2. The division appointing authority reviews the request and verifies the reason for the request. If the division appointing authority concurs, he or she should provide any additional information which may be helpful to the department director's determination including a description of the circumstances which prevented management of the work unit in such a manner so as to avoid the necessity of a carryover request. The division appointing authority recommends approval or denial in writing and forwards the recommendation to the department director or designee.
3. The department director or designee reviews the request and, if he or she agrees that:
 - a. because of cyclical workloads, work assignments or other reasons as may be in the best interests of the county, that the employee could not have reasonably managed his or her accruals in such a manner as to avoid the carryover request; and

- b. that the manager has managed the work unit in such a manner so as to avoid the necessity of a carryover request then, the department director may approve the request. Such approval shall be done in writing to the division appointing authority who informs the employee and departmental payroll personnel.

Department Directors should also consider other pertinent information such as requests for carryover in consecutive years, etc.

The provisions of applicable collective bargaining agreements must continue to be followed in determining vacation carryover criteria.

4. All vacation accrual carryover requests must be fully processed no later than December 15th of every year. Questions concerning an employee's vacation leave carryover may be addressed to the department's Human Resources Services Delivery Manager.
5. On or before January 30th of each year, the department director or designee will provide a report to the Human Resources Division Director detailing:
 - a. The name of the employee who received carryover approval
 - b. The amount of vacation approved for carryover
 - c. The reason that the vacation carryover request was approved
 - d. The elements of a vacation reduction plan geared toward bringing the employee's vacation below the maximum before year end
6. The Human Resources Division Director will provide an annual vacation carryover performance measurement report to the Assistant Deputy County Executive.

In the event that any provision of this Human Resources Bulletin conflicts with an applicable provision of a collective bargaining agreement or binding past practices thereunder, the latter shall prevail.

QUESTIONS/COMMENTS

Any questions related to this bulletin should be directed to the HR SDMs or to the Human Resources Division.
