

Annual Leave Policy

Effective Date: Adopted 8/65; Revised 3/75, 4/76, 6/79, 11/83, 8/95, 1/96, 4/00, 12/01, 4/06, 2/07, 6/17, and 9/18

§-I. PURPOSE To provide regulations concerning the accrual and use of annual leave by County employees.

§-II. SCOPE Full-Time Employees.

§-III. POLICY Annual leave is granted to employees to use for vacations or other personal purposes. All full-time employees shall be entitled to accrue annual leave with full pay after the first six (6) months of employment, in accordance with this policy. The County Manager shall have the authority to assign a new hire for key positions to an accrual milestone defined within this policy (5, 10, 15, or 20 years) based on years of related work experience. Compensation in lieu of annual leave is prohibited except at separation.

§-IV. PROCEDURES

A. Accrual of Annual Leave

A 40-hour-week employee in pay status for 40 hours during a bi-weekly pay period earns annual leave for that bi-weekly. A 40-hour-week employee in pay status less than 40 hours during a bi-weekly pay period earns no leave for that biweekly. A 56-hour-week employee must be in pay status for 56 hours during a bi-weekly period to earn annual leave. All other work weeks will be computed on the same basis.

Annual leave accrual will occur at the end of the biweekly pay process. Annual leave accrual will be calculated as follows based on a 12-hour day for 56 hour employees and an 8-hour day for all other eligible full-time employees:

Six days annual leave will be earned and available for use after the completion of six (6) months of service. The employee will then accrue an additional seven days of annual leave during the second six-months of employment.

After completion of the first year of service, the employee will continue to accrue 13 days annually.

- After completion of five years of service, the employee will accrue 15 days annually.
- After completion of ten years of service, the employee will accrue 20 days annually.
- After completion of fifteen years of service, the employee will accrue 22 days annually.
- After completion of twenty years of service, the employee will accrue 25 days annually.

The accumulation of annual leave will be allowed until it totals not more than 480 hours (60 days) for 40-hour-week employees and 720 hours (60 days) for 56-hour-week employees at the end of the last payroll of the fiscal year.

For other work weeks:

Any employee working a work week other than the above will have annual leave computed at the same ratio.

For rehired employees:

Effective April 22, 2007, a rehired employee will be credited with his/her prior service to determine the rate of annual leave accrual if the employee left the county with five (5) or more years of continuous service AND the employee's separation from service was for less than three (3) years.

B. Use of Annual Leave

A full-time employee may utilize annual leave in increments of 15 minutes upon approval of the head of his/her department, agency, or office for vacation or other personal reasons.

Annual leave with pay shall not be granted to emergency, per diem, temporary or part-time (less than 30 hours per week) employees.

Employees will be charged for annual leave for absence only on days when they would otherwise work and receive pay. No charges will be made for annual leave on scheduled days off, holidays, or other non-work days established by the Governing Authority of the County.

When the employee is granted time off for vacation or other personal reasons beyond his/her available annual or sick leave balances, the additional requested hours will be charged to accrued compensatory hours or to leave without pay (upon approval by the Department or Agency Head).

C. Payout upon Separation or Death

An employee who retires, resigns, or is dismissed shall be paid his/her accrued annual leave based upon the following:

Annual leave pay for employees with less than 10 years service on the date of separation will not exceed 240 hours (30 days) for 40-hour-week employees and 360 (30 days) for 56-hour-week employees.

Annual leave pay for employees with 10 years or more service on the date of separation will not exceed 480 hours (60 days) for 40-hour-week employees and 720 hours (60 days) for 56-hour-week employees.

Such compensation will not extend the date of separation. The separation date shall be the last day of active service. No annual leave shall be earned after the separation date.

Salary for accrued annual leave will be paid to the estate of a deceased employee.

D. Annual Leave Donation Program

An employee ("donor") may donate accrued, unused annual leave to an employee ("recipient") who has exhausted all available leave balances (annual, sick, compensatory) and who would otherwise need to take leave without pay due to personal catastrophic health conditions/injuries or similar health conditions/injuries affecting qualified family members.

1. An illness or injury is considered catastrophic if it poses a threat to life and/or requires inpatient, hospice, or resident health care. Examples of catastrophic health conditions include heart attacks, cancer, and serious motor vehicle accidents.

Minor illnesses or injuries or chronic medical conditions that are not catastrophic do not qualify for the annual leave donation program.

2. Qualified family members include the employee's spouse, parent, child or stepchild, brother, or sister including adoptive relatives, but not relatives-by-marriage (other than the employee's spouse).

3. Only employees who would otherwise be eligible to accrue and/or use annual and sick leave and who have been employed for a minimum of twelve (12) months are eligible to be leave donors or leave recipients in the annual leave donation program.

4. Donated annual leave shall be transferred, converted, and added to a recipient's sick leave balance on an as-needed basis. In the event that more than one employee requests to donate leave to the same leave recipient, the County shall debit the annual leave account of leave donors based upon the order in which their approved requests to transfer leave were received by the Human Resources Department.

5. The annual leave donation program shall be subject to the following administrative procedures:

a. Leave Donation Requirements:

1. Donation of leave shall be strictly voluntary. An employee may not donate leave to or receive leave from his/her immediate supervisor or to/from any employee(s) in his/her chain of supervision, including the Department or Agency Head.

2. Each leave donor must maintain a minimum balance of one (1) week of accrued annual leave after the donated leave is deducted. Leave may be donated only in whole hour increments from a minimum of eight hours for all employees and a maximum of 240 hours for all employees with the exception of 360 hours for 56-hour week employees.

3. Donated annual leave hours will be converted to sick leave and computed at the applicable work-week ratio. For example, if a 40-hour week employee donates leave to a 56-hour-week employee, the 40-hour-week employee's leave will be converted to a 56-hour-week equivalent at the time of the transfer.

4. No consideration will be made to the donor and recipient employees' pay rates as related to the value or number of leave hours donated/received.

5. A donor employee may not request or require any form of repayment, monetary or otherwise, of a recipient employee.

b. Leave Receipt Requirements:

1. It is the sole responsibility of the recipient employee to request donated leave from other employees and to submit a completed application with required documentation. The completed form should be signed by the following: donor employee, donor employee's Department/Agency Head, applicant/recipient, and the applicant/recipient's Department/ Agency Head.

2. A certification letter from a licensed medical practitioner describing the nature of the catastrophic health condition and its expected duration should accompany the application form.

3. An employee is not eligible for receipt of leave if the injuries for which he/she seeks leave were suffered during or in furtherance of a criminal offense committed by the employee.

4. An employee may not receive leave for more than two (2) catastrophic health conditions per calendar year or for more than thirteen (13) weeks total.

5. The County shall have the right to, at any time during an employee's leave, require further documentation from a licensed health care provider verifying the catastrophic health condition and its expected duration.

c. Annual Leave Donation Program Limitations:

1. The County leave donation program shall not be construed to give any employee a right or entitlement to receipt of donated leave or to the unrestricted use of leave donated to the employee.

2. The County may at any time deny the annual leave donation application of any employee if the County determines, in its sole discretion, that the County's needs require the employee's position be filled or that the requested leave would not otherwise be in the best interest of the County. This program should not be construed to restrict the County from imposing work rules, requirements for use of leave, or reporting while away from work.

3. Department personnel representatives, supervisors, other managers, Department/Agency Heads, elected officials, and employees of the Human Resources Department shall not solicit leave on behalf of

any employee and may only administer the exchange of leave as outlined in this policy.

4. To the extent this program conflicts with any other provision of Cobb County policies, the County Code, State or Federal law, or County departmental procedures, then this program's provisions are not controlling.