

**Idaho Department of  
Juvenile Corrections  
Administrative  
Policy/Procedure**

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SUBJECT: VACATION LEAVE

CATEGORY: HUMAN RESOURCES

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**Policy**

The purpose of this policy is to establish guidelines and procedures for the accumulation and use of vacation leave. Employees earn vacation leave and are eligible to take vacation leave in accordance with Idaho Code, Division of Human Resource rule, and other state and federal laws and rules. A predictable and reliable level of performance is an essential function of all positions.

It is therefore the policy that the Idaho Department of Juvenile Corrections (IDJC) provides guidance to its employees on the expectations and responsibilities for accumulating and using vacation leave.

**Operating Procedures**

I. Eligibility

Employees must meet the criteria to qualify as eligible for benefits in order to accrue vacation leave. Eligible employees will earn vacation leave and be eligible to take vacation leave in accordance with sections 59-1302(14)(A), (14)(B), 59-1606, 59-1603, and 67-5334, Idaho Code. Employees who are ineligible to earn vacation leave, include:

- A. Employees who regularly work less than 20 hours per week; or
- B. Employees who are in non-pay status (i.e., on unpaid leave of absence) or temporary employees who are hired to work less than five months, regardless of number of hours worked per week.

An employee hired to work 20 or more hours per week who is originally not expected to work more than five months but who does so, is entitled to receive vacation leave benefits retroactively, in accordance with the accrual rates noted in this policy and Idaho Code.

II. Accrual

Employees earn vacation leave for every hour worked or paid, with the exception of paid compensatory leave. For example, an employee works Monday through Wednesday and is on leave Thursday and Friday. The employee codes ACT for Monday, Tuesday and Wednesday; VAC (vacation used) for Thursday; and CPT

(comp time used) for Friday. The employee would earn vacation for the time coded Monday through Thursday but not Friday while on paid compensatory leave.

	SUN	MON	TUE	WED	THUR	FRI	SAT	TOTAL
ACT		8	8	8				24
VAC					8			8
CPT						8		8
								40

The Idaho Division of Human Resources designates job classifications as either: Covered (by the Fair Labor Standards Act [FLSA], aka, non-exempt), or Non-Covered (aka, exempt); Computer Worker, Professional, Administrative, or Executive. The amount of vacation an employee accrues per qualifying paid hour depends on that designation.

In addition, there is a limit to the amount of vacation hours which can be accrued. Those limits are also dependent upon an employee's role designation (Covered, or Non-Covered; Computer Worker, Professional, Administrative, or Executive). The following table reflects the amount of vacation accrued per employee type and corresponding accrual limits.

If an employee is uncertain about their FLSA designation, they may contact Human Resources (HR).

Vacation Accrual Rates and Limits				
Employee Designation	Hours of Service	Accrual Rate Per Hour	Accrual Rate per Pay Period for Full-Time Employees*	Accrual Limit
Covered FLSA Code "C"	0 -10,400	0.04615	3.7 hours	192 hours
	10,401 - 20,800	0.05769	4.6 hours	240 hours
	20,801 - 31,200	0.06923	5.5 hours	288 hours
	31,201 or more	0.08077	6.5 hours	336 hours
Non-Covered; Administrative/Professional/ Computer Worker FLSA Codes "A", "P", or "I"	0 -10,400	0.05769	4.6 hours	192 hours
	10,401 - 20,800	0.06923	5.5 hours	240 hours
	20,801 - 31,200	0.08077	6.5 hours	288 hours
	31,201 or more	0.08077	6.5 hours	336 hours
Executive FLSA Code "E"	0 -10,400	0.09615	7.7 hours	200 hours
	10,401 - 20,800	0.09615	7.7 hours	240 hours
	20,801 - 31,200	0.09615	7.7 hours	288 hours
	31,201 or more	0.09615	7.7 hours	336 hours
*Amounts are rounded to the nearest tenth. Accrual Rate per Pay Period assumes 80 CSS hours of work performed.				

### III. Use of Vacation Leave

- A. Employees are required to obtain approval from their supervisor prior to the use of vacation leave. Supervisors should approve vacation leave with reasonable consideration for the employee's needs and desires, on the basis of work requirements, and when it will least interfere with the efficient operation of the agency.
- B. Leave shall be taken in the following order, provided doing so does not cause the employee to lose vacation leave due to the maximum accrual limits: (1) Comp time, (2) On-call time (if eligible), and (3) vacation time.
- C. Vacation leave cannot be taken in the same pay period in which it is earned. For example, an employee cannot use the 3.7 hours earned during the current pay period until a subsequent pay period.
- D. Vacation leave may not be utilized if it will result in pay in excess of the employee's normally scheduled workweek. For example, if a full-time employee plans Friday off, but works nine hours per day on Monday through Thursday of that week, the employee's timesheet should be coded:

	SUN	MON	TUE	WED	THUR	FRI	SAT	TOTAL
ACT		9	9	9	9			36
VAC						4		4
								40

- E. Employees may elect to charge time off work due to illness to other accrued leave, such as vacation leave, rather than to accrued sick leave. However, in the event an employee is ill and has no accrued sick leave, other accrued leave balances, including vacation leave, must be used prior to the employee receiving leave without pay. If an employee on approved vacation leave becomes ill, the employee may substitute sick leave provided the employee follows the Sick Leave (353) policy and procedure, including reporting the illness/injury to their supervisor.
- F. If an employee is unable to report to work because of severe weather, road, or other related emergency conditions, and the work facility has not been declared closed or inaccessible by the Governor, agency head or designee, the employee may be permitted to use accrued vacation leave or compensatory time to cover the period of absence from work, with supervisor approval.
- G. Executive employees are not required to use accrued vacation in less than half-day increments. For example, based on an eight-hour day, if an Executive employee works for six hours and takes the remainder of that day off, the decision to use vacation leave is at the employee's discretion. Conversely, if that Executive employee works for two hours and takes six hours of vacation that day, then six hours of accrued vacation leave is used.

- H. Executive employees who work 40 hours in a workweek should record no leave taken, even if they take more than a half day off on a particular day. For example, an Executive employee who works ten hours per day Monday through Thursday and then takes Friday off would record no leave taken, as 40 hours had been worked for that week.

#### IV. Effect of Transfers on Accrued Vacation

An employee's accrued vacation leave transfers with the employee when transferring from one state agency to another with no break in service. (Saturday and Sunday are not considered to be a break.)

#### V. Effect of Separation on Accrued Vacation

- A. When an employee leaves state service, all accrued and unused vacation leave will be paid to the employee in their final paycheck. Vacation payout is calculated based on the employee's permanent hourly rate of pay on the effective date of separation.
- B. Any separation that exceeds a weekend (Saturday and Sunday) would be considered a break in service; therefore, accrued vacation leave would be paid to the employee and not transferred.
- C. In the event of an employee's death, payment will be made to the employee's beneficiary or estate.

*Reference:* [Glossary of Terms and Acronyms](#)  
*Sections 67-5334, 59-1302, 59-1603, 59-1606, Idaho Code*  
*DHR Rule 230*  
*Fair Labor Standards Act*

*Desk Manual(s):* *None*

*Related Policies:* [Work Schedules](#) (348)  
[Hours of Work and Rest Breaks](#) (349)  
[Time Records and Reporting](#) (350)  
[Family Medical Leave Act Leave](#) (352)  
[Sick Leave](#) (353)  
[Leave Donation](#) (354)  
[Attendance, Absenteeism & Tardiness](#) (361)

*Related Forms:* *None*