

**EXECUTIVE BRANCH AGENCY POLICY  
SECTION 2: VACATION LEAVE**

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**2A. General Information**

Eligible employees will earn vacation leave and be eligible to take vacation leave in accordance with Idaho Code §§ [67-5334](#), [59-1603](#) and [59-1606](#).

Vacation is a period of exemption from hours worked.

**2B. Eligibility**

Employees must meet the criteria to qualify as eligible for benefits in order to accrue vacation time. Some employees are ineligible for vacation, such as:

- Employees who regularly work less than 20 hours per week; or
- 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 (5) months, regardless of number of hours worked per week.

An employee who is originally not expected to work five (5) months but who does so is entitled to receive vacation leave benefits retroactively in accordance with the accrual rates within this policy and Idaho Code.

**2C. Accrual**

Employees earn vacation leave for every hour worked or paid (with the exception of paid compensatory leave). For example, employees earn vacation leave while on paid vacation or paid sick leave.

The Idaho Division of Human Resources designates job classifications as either Covered (by the Fair Labor Standards Act), Computer Worker, Professional, Administrative, or Executive.\* The amount of vacation an employee accrues per qualifying paid hour depends on that designation.

In addition, employees are limited in the amount of vacation leave which can be accrued. Those limits are also dependent upon that designation (Covered, Computer Worker, Professional, Administrative, or Executive). The following table reflects the amount of vacation accrued per employee type and corresponding accrual limits.

<b>Vacation Accrual Rates and Limits</b>				
<b>Employee Designation</b>	<b>Hours of Service</b>	<b>Accrual Rate Per Hour</b>	<b>Accrual Rate per Pay Period for Full-Time Employees*</b>	<b>Accrual Limit</b>
Covered	0-10,400	0.04615	3.7 hours	192 hours
Covered	10,401 - 20,800	0.05769	4.6 hours	240 hours
Covered	20,801 - 31,200	0.06923	5.5 hours	288 hours
Covered	31,201 or more	0.08077	6.5 hours	336 hours
<b>Administrative/Professional/Computer Worker</b>				
Administrative/Professional/Computer Worker	0-10,400	0.05769	4.6 hours	192 hours
Administrative/Professional/Computer Worker	10,401 - 20,800	0.06923	5.5 hours	240 hours
Administrative/Professional/Computer Worker	20,801 - 31,200	0.08077	6.5 hours	288 hours
Administrative/Professional/Computer Worker	31,201 or more	0.08077	6.5 hours	336 hours
<b>Executive</b>				
Executive	0-10,400	0.09615	7.7 hours	200 hours
Executive	10,401 - 20,800	0.09615	7.7 hours	240 hours
Executive	20,801 - 31,200	0.09615	7.7 hours	288 hours
Executive	31,201 or more	0.09615	7.7 hours	336 hours
*amounts are rounded to the nearest tenth				

\*To determine your designation, refer to IDHR's website at <https://dhr.idaho.gov/JobSeekers/StateJobOpenings.html>. Select "Job Classifications." Find and select your classification within the alphabetical list. At the bottom of the page for your job classification description, the "overtime code" will reflect either: C for "covered", A for "administrative", P for "professional", E for "executive", or I for "computer worker".

## **2D. Use of Vacation Leave**

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.

2D1. Use Prohibited for Accrual. 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.

2D2. Use Limitations. 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 9 hours per day on Monday through Thursday of that week, the employee’s timesheet would reflect:

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

2D3. Use When Ill. Employees may elect to charge time off work due to illness to accrued 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 (unless the employee is on approved Family and Medical Leave or is absent from work due to a work-related illness or injury).

2D4. Use for Emergency Conditions. 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 his designee, the employee shall be permitted to use accrued vacation leave to cover the period of absence from work.

If an employee on approved vacation leave becomes ill, sick leave cannot be substituted. Employee may substitute sick leave if they provide a doctor’s note.

2D5. Use in Conjunction with Other Leave Types. The sequence in which various leaves will be taken is (1) Compensatory Leave, (2) On-Call Leave, and (3) Vacation Leave. Supervisors may grant exceptions to this standard order if necessary to keep the employee from reaching maximum vacation accrual limits.

2D6. Use Parameters for Executive Employees Only. Employees designated as executive 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 6 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 2 hours, and takes 6 hours of vacation that day, then 6 hours of accrued vacation leave is used.

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 10 hours per day Monday thru Thursday and then takes Friday off would record no leave taken, as 40 hours had been worked for that week.

## **2E. 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.)

## **2F. Effect of Separation on Accrued Vacation**

When an employee leaves State service, all accrued and unused vacation leave will be paid to the employee in his final paycheck. Vacation payout is calculated based on the employee's permanent hourly rate of pay on the effective date of separation.