

## VACATION POLICY FOR NON-UNION PERSONNEL

FEBRUARY 1, 2023

**Section 1:** All regular full-time, temporary or part-time employees will be allowed vacation leave in accordance with the following schedule. No employee shall be entitled to accrue or receive vacation leave until they have completed their probationary period. Any exceptions to this schedule must be approved by the Town Manager and shall be prorated accordingly for the purposes of vacation in the first year of employment.

Following initial completion of the probationary period, an employee shall be entitled to receive vacation time in an amount equal to the number of hours that they usually work in one single day for each month remaining in the calendar year, not to exceed two (2) weeks. Said time will be credited following successful completion of the probationary period. An employee who has a probationary period which expires no later than the 15<sup>th</sup> of the month shall receive vacation time credit for that month. An employee who has a probationary period which expires the 16<sup>th</sup> of the month or later shall not receive vacation time credit for that month.

Examples:

Employee A (7-hour day employee) who has a probationary period expiring September 15<sup>th</sup> shall receive twenty-eight (28) hours of time to use before the end of the calendar year (4 months x 7 hours).

Employee B (7-hour day employee) who has a probationary period expiring on September 16<sup>th</sup> shall receive twenty-one (21) hours of vacation time to use before the end of the calendar year (3 months x 7 hours).

See attached vacation grid for specific vacation computation according to date of hire.

Thereafter, non-probationary employees shall be credited with vacation leave each January 1<sup>st</sup> according to the vacation schedule set forth below, unless an alternate vacation entitlement was expressly granted to the employee in writing by the Town Manager:

Less than five (5) years of service - 2 weeks

Less than ten (10) years of service, but five (5) or more years of service - 3 weeks

Less than twenty (20) years of service, but ten (10) or more years of service - 4 weeks

Twenty (20) years of service or more - 5 weeks

Employees must give a minimum of seventy-two (72) hours of written notice when requesting 3-days or more of vacation leave. At the discretion of their Department Head or Town Manager, and with extenuating circumstances, that seventy-two (72) hours' notice may be waived.

### **Section 2:** Vacation Buyback

There will be no vacation buyback option in year one (1) of employment with the Town of Wilmington. After one (1) year of employment, an employee must have used less than five (5) sick days, including family sick days, in the calendar year in order to qualify for the buyback option. If qualified, an employee may sell back up to five (5) days of vacation in

subsequent calendar years. Any vacation buyback exceeding five (5) days would be at the discretion of the Town Manager.

**Section 3:** Carryover of Accrued Vacation

Except as provided in Section 4 below, employees may carry over no more than three (3) weeks of vacation time into the next calendar year. Any unused vacation time remaining at the end of a calendar year in excess of three (3) weeks shall be forfeited.

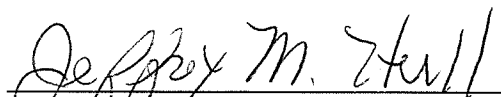
**Section 4:** Vacation Burn Down Policy/Procedure

Employees with more than three (3) weeks of unused vacation time remaining at the end of calendar year 2022 and who were hired prior to the effective date of this policy shall not be eligible for the carryover provision under Section 3 and shall be subject to the following vacation burn down schedule until their vacation time balance is in compliance with the carryover limits set forth in this policy:

Example: At the end of the current calendar year, an employee has six (6) weeks of accrued vacation time remaining which is three (3) weeks more than can be carried over under this policy. Under the Burn Down schedule below, the employee is required to submit a plan for approval to the Town Manager by February 1, 2023 to burn down (3) weeks of unused vacation time by a date to be determined before December 31, 2025. Once the approved burn down plan has been fully satisfied, the employee can carry over no more than 3 weeks of vacation into any new calendar year as set forth in Section 3.

# of unused vacation hours as of 12/31/2022	Status	Required Action
105 hours (3) weeks (If on 7-hours per day work schedule)	Compliant	None
120 hours (3) weeks (If on 8-hours per day work schedule)	Compliant	None
Any number of hours in excess of 3-week carryover maximums: 105 hours for 7-hour employees, 120 hours for 8-hour employees, *Unless otherwise determined by past practice	Non-Compliant	By February 1, 2023 submit a plan to the Town Manager for approval to burn down no less than 25% of unused vacation time per calendar year to reach three (3) week carryover limit by 12/31/25.  Employee is required to use annual vacation allotment received on January 1 <sup>st</sup> by December 31 <sup>st</sup> of that same calendar year. Any unused annual vacation time remaining as of December 31 <sup>st</sup> shall be forfeited.

Once a vacation burn-down plan is formulated for each employee, it shall be reduced to writing and the employee and the Town Manager will sign the agreement. This vacation burn down agreement should be considered to be a "use or lose" policy, i.e. failure to use the excess vacation leave as set forth in the individual agreement by December 31, 2025 will result in the loss of the excess leave with no compensation to the employee due unless otherwise set forth in the written agreement with the Town Manager.



Jeffrey M. Hull

Town Manager

AFSCME II and Non-Union Vacation Grid -- NOTE: A "day" represents the employee's regularly scheduled hours worked per day

<b>Month of Hire</b>	<b>If Hired day 1-15</b>	<b>If Hired day 16-Month End</b>
<b>January</b>	(Probation ends July 1-15)  6 days credited at end of probation for use before end of current calendar year  2 weeks (10 days) each January 1 thereafter	(Probation ends July 16-31)  5 days credited at end of probation for use before end of current calendar year  2 weeks (10 days) each January 1 thereafter
<b>February</b>	(Probation ends August 1-15)  5 days credited at end of probation for use before end of current calendar year  2 weeks (10 days) each January 1 thereafter	(Probation ends August 16-31)  4 days credited at end of probation for use before end of current calendar year  2 weeks (10 days) each January 1 thereafter
<b>March</b>	(Probation ends September 1-15)  4 days credited at end of probation for use before end of current calendar year  2 weeks (10 days) each January 1 thereafter	(Probation ends September 16-30)  3 days credited at end of probation for use before end of current calendar year  2 weeks (10 days) each January 1 thereafter
<b>April</b>	(Probation ends October 1-15)  3 days credited at end of probation for use before end of current calendar year  2 weeks (10 days) each January 1 thereafter	(Probation ends October 16-31)  2 days credited at end of probation for use before end of current calendar year  2 weeks (10 days) each January 1 thereafter
<b>May</b>	(Probation ends November 1-15)  2 days credited at end of probation for use before end of current calendar year  2 weeks (10 days) each January 1 thereafter	(Probation ends November 16-30)  1 day credited at end of probation for use before end of current calendar year  2 weeks (10 days) each January 1 thereafter

AFSCME II and Non-Union Vacation Grid – (Continued)

Month of Hire	If Hired day 1-15	If Hired day 16-Month End
<b>June</b>	<p>(Probation ends December 1-15)</p> <p>1 day credited at end of probation for use before end of current calendar year</p> <p>2 weeks (10 days) each January 1 thereafter</p>	<p>(Probation ends December 16-31)</p> <p>No qualifying time for vacation in current calendar year</p> <p>2 weeks (10 days) each January 1 thereafter</p>
<b>July</b>	<p>(Probation ends January 1-15)</p> <p>10 days credited at end of probation for use before end of current calendar year</p> <p>2 weeks (10 days) each January 1 thereafter</p>	<p>(Probation ends January 16-31)</p> <p>10 days credited at end of probation for use before end of current calendar year</p> <p>2 weeks (10 days) each January 1 thereafter</p>
<b>August</b>	<p>(Probation ends February 1-15)</p> <p>10 days credited at end of probation for use before end of current calendar year</p> <p>2 weeks (10 days) each January 1 thereafter</p>	<p>(Probation ends February 16-28)</p> <p>10 days credited at end of probation for use before end of current calendar year</p> <p>2 weeks (10 days) each January 1 thereafter</p>
<b>September</b>	<p>(Probation ends March 1-15)</p> <p>10 days credited at end of probation for use before end of current calendar year</p> <p>2 weeks (10 days) each January 1 thereafter</p>	<p>(Probation ends March 16-31)</p> <p>9 days credited at end of probation for use before end of current calendar year</p> <p>2 weeks (10 days) each January 1 thereafter</p>
<b>October</b>	<p>(Probation ends April 1-15)</p> <p>9 days credited at the end of probation for use before end of current calendar year</p> <p>2 weeks (10 days) each January 1 thereafter</p>	<p>(Probation ends April 16-30)</p> <p>8 days credited at end of probation for use before end of current calendar year</p> <p>2 weeks (10 days) each January 1 thereafter</p>

AFSCME II and Non-Union Vacation Grid – (Continued)

<b>Month of Hire</b>	<b>If Hired day 1-15</b>	<b>If Hired day 16-Month End</b>
<b>November</b>	<p>(Probation ends May 1-15)</p> <p>8 days credited at the end of probation for use before end of current calendar year</p> <p>2 weeks (10 days) each January 1 thereafter</p>	<p>(Probation ends May 16-30)</p> <p>7 days credited at the end of probation for use before end of current calendar year</p> <p>2 weeks (10 days) each January 1 thereafter</p>
<b>December</b>	<p>(Probation ends June 1-15)</p> <p>7 days credited at the end probation for use before end of current calendar year</p> <p>2 weeks (10 days) each January 1 thereafter</p>	<p>(Probation ends June 16-30)</p> <p>6 days credited at the end of probation for use before the end of current calendar year</p> <p>2 weeks (10 days) each January 1 thereafter</p>

PERSONAL AND OTHER TYPES OF LEAVE POLICY FOR NON-UNION PERSONNEL

FEBRUARY 1, 2023

**Section 1: Personal Days**

Upon hiring, a full-time employee shall be credited with personal time calculated at one-quarter day (.25) for each month remaining in the calendar year in which the employee is hired to use during the fiscal year in which they were hired. If an employee is hired on the 15th day of a month or later, that partial month shall not be included in the initial personal time calculation.

Each January 1st thereafter, an employee shall receive three (3) personal days and may only carry over a maximum of three (3) unused personal days into a new calendar year. Except as provided in Section 2 below, any unused personal days remaining at the end of a calendar year in excess of three (3) days shall be forfeited.

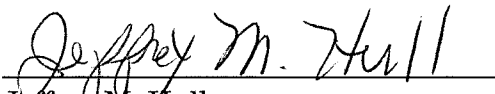
Employees who use no personal sick time during a calendar year (family illness days excluded) shall be credited with one (1) additional personal day on the first day of the subsequent calendar year. The use of vacation or personal days shall not serve to interrupt an employee's perfect attendance record under this provision. The taking of said personal days shall be scheduled with the approval of the Department Head.

For employees hired **before** February 1, 2023, the balance of an employee's personal leave shall be paid at the time of separation from employment.

Employees hired on or after February 1, 2023 are not eligible for payment of their balance of personal leave at time of separation of employment.

**Section 2: Burn Down Policy**

Employees hired prior to February 1, 2023 who have accrued significant personal time hours are required to burn down their personal time to equal acceptable carry-over limits of the Town of Wilmington. No more than three (3) personal days will be allowed to be carried over to a new calendar year. If an employee is carrying in excess of three (3) days when this policy is implemented, they are required to burn down their remaining unused personal time to no more than three (3) days by December 31, 2024. Any unused personal time in excess of three (3) days remaining as of December 31, 2024 will be forfeited.

  
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Jeffrey M. Hull  
Town Manager

AFSCME II and Non-Union Personal Time Grid

**NOTE: A “day” represents the employee’s regularly scheduled hours worked per day** (Employee schedules vary – some working 7 hour days, some 8 hour days. Personnel time will vary proportionately – 1.75 hours per month for 7-hour schedules to equal 21 hours per year (1.75 x 12) and 2 hours per month for 8-hour schedules to equal 24 hours per year (2 x 12 =24).

Month of Hire	If Hired day 1-15	If Hired day 16-Month End
<b>January</b>	8-hour Day - Upon Hire (.25 x 8) x 12 = (24 hours) 3 personal days	8 hour Day - Upon Hire (.25 x 8) x 11 = (22 hours)2.75 personal days
	7-hour Day - Upon Hire (.25 x 7) x 12= (21 hours) 3 personal days	7-hour Day - Upon Hire (.25 x 7) x 11 = (19.25 hours) 2.75 personal days
<b>February</b>	8 hour Day - Upon Hire (.25 x 8) x 11 = (22 hours)2.75 personal days	8 hour Day - Upon Hire (.25 x 8) x 10 = (20 hours)2.5 personal days
	7-hour Day - Upon Hire (.25 x 7) x 11 = (19.25 hours) 2.75 personal days	7-hour Day - Upon Hire (.25 x 7) x 10 = (17.5 hours) 2.5 personal days
<b>March</b>	8 hour Day - Upon Hire (.25 x 8) x 10 = (20 hours)2.5 personal days	8 hour Day - Upon Hire (.25 x 8) x 9 = (18 hours) 2.25 personal days
	7-hour Day - Upon Hire (.25 x 7) x 10 = (17.5 hours) 2.5 personal days	7-hour Day - Upon Hire (.25 x 7) x 9 = (15.75 hours) 2.25 personal days
<b>April</b>	8 hour Day - Upon Hire (.25 x 8) x 9 = (18 hours) 2.25 personal days	8 hour Day - Upon Hire (.25 x 8) x 8 = (16 hours) 2 personal days
	7-hour Day - Upon Hire (.25 x 7) x 9 = (15.75 hours) 2.25 personal days	7-hour Day - Upon Hire (.25 x 7) x 8 = (14 hours) 2 personal days
<b>May</b>	8 hour Day - Upon Hire (.25 x 8) x 8 = (16 hours) 2 personal days	8 hour Day - Upon Hire (.25 x 8) x 7 = (14 hours) 1.75 personal days
	7-hour Day - Upon Hire (.25 x 7) x 8 = (14 hours) 2 personal days	7-hour Day - Upon Hire (.25 x 7) x 7 = (12.25 hours) 1.75 personal days
<b>June</b>	8 hour Day - Upon Hire (.25 x 8) x 7 = (14 hours) 1.75 personal days	8 hour Day - Upon Hire (.25 x 8) x 6 = (12 hours) 1.5 personal days
	7-hour Day - Upon Hire (.25 x 7) x 7 = (12.25 hours) 1.75 personal days	7-hour Day - Upon Hire (.25 x 7) x 6 = (10.5 hours) 1.5 personal days



AFSCME II and Non-Union Personal Time Grid – (Continued)

Month of Hire	If Hired day 1-15	If Hired day 16-Month End
<b>July</b>	8 hour Day - Upon Hire $(.25 \times 8) \times 6 = (12 \text{ hours})$ 1.5 personal days	8 hour Day - Upon Hire $(.25 \times 8) \times 5 = (10 \text{ hours})$ 1.25 personal days
	7-hour Day - Upon Hire $(.25 \times 7) \times 6 = (10.5 \text{ hours})$ 1.5 personal days	7-hour Day - Upon Hire $(.25 \times 7) \times 5 = (8.75 \text{ hours})$ 1.25 personal days
<b>August</b>	8 hour Day - Upon Hire $(.25 \times 8) \times 5 = (10 \text{ hours})$ 1.25 personal days	8 hour Day - Upon Hire $(.25 \times 8) \times 4 = (8 \text{ hours})$ 1 personal day
	7-hour Day - Upon Hire $(.25 \times 7) \times 5 = (8.75 \text{ hours})$ 1.25 personal days	7-hour Day - Upon Hire $(.25 \times 7) \times 4 = (7 \text{ hours})$ 1 personal day
<b>September</b>	8 hour Day - Upon Hire $(.25 \times 8) \times 4 = (8 \text{ hours})$ 1 personal day	8 hour Day - Upon Hire $(.25 \times 8) \times 3 = (6 \text{ hours})$ .75 personal day
	7-hour Day - Upon Hire $(.25 \times 7) \times 4 = (7 \text{ hours})$ 1 personal day	7-hour Day - Upon Hire $(.25 \times 7) \times 3 = (5.25 \text{ hours})$ .75 personal day
<b>October</b>	8 hour Day - Upon Hire $(.25 \times 8) \times 3 = (6 \text{ hours})$ .75 personal day	8 hour Day - Upon Hire $(.25 \times 8) \times 2 = (4 \text{ hours})$ .5 personal day
	7-hour Day - Upon Hire $(.25 \times 7) \times 3 = (5.25 \text{ hours})$ .75 personal day	7-hour Day - Upon Hire $(.25 \times 7) \times 2 = (3.5 \text{ hours})$ .5 personal day
<b>November</b>	8 hour Day - Upon Hire $(.25 \times 8) \times 2 = (4 \text{ hours})$ .5 personal day	8 hour Day - Upon Hire $(.25 \times 8) \times 1 = (2 \text{ hours})$ .25 personal day
	7-hour Day - Upon Hire $(.25 \times 7) \times 2 = (3.5 \text{ hours})$ .5 personal day	7-hour Day - Upon Hire $(.25 \times 7) \times 1 = (1.75 \text{ hours})$ .25 personal day
<b>December</b>	8 hour Day - Upon Hire $(.25 \times 8) \times 1 = (2 \text{ hours})$ .25 personal day	8-hour Day - Upon Hire you will not receive personal time, but will be credited 3 personal days (24 hours) on January 1 (2 <sup>nd</sup> Month of your employment)
	7-hour Day - Upon Hire $(.25 \times 7) \times 1 = (1.75 \text{ hours})$ .25 personal day	7-hour Day - Upon Hire you will not receive personal time, but will be credited 3 personal days (21 hours) on January 1 (2 <sup>nd</sup> Month of your employment)