

College Operating Procedures (COP)	
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Procedure Title: Vacation Leave
Procedure Number: 05-0505
Originating Department: Office of Human Resources

Specific Authority:
 Board Policy 6Hx6:5.02
 Florida Statute 1012.865
 Florida Administrative Code n/a

Procedure Actions: 11/21/96; 7/1/00; 2/03; 11/3/04; 03/12/08; 12/2/08; 02/16/10;
 11/1/10; 06/04/15; 08/02/2021; 11/22/22; 01/20/23

Purpose Statement: To establish guidelines for College employees regarding vacation leave.

Guidelines:

Florida SouthWestern State College (“College”) makes available vacation leave to all regular full-time and temporary full-time (120 calendar days) employees (except faculty). Employees must request time off from their immediate supervisor at least one week prior to the first vacation day to be taken. If the supervisor approves the vacation the employee must complete the Online Leave Request Workflow located in the FSW Employee Services Portal under Online Workflow Forms.

The College recognizes non-duty days are not counted as vacation leave days when they fall within the vacation period taken by College employees. At the discretion of the supervisor, vacation leave will be scheduled so there will be a minimum disruption of the College operation and program. In addition, each department has the ability to determine vacation “black-out” periods. These black-out periods reflect periods of high-volume work for the department. During black-out periods vacation may not be taken without approval of the department director.

Additional compensation in lieu of vacation leave is prohibited except upon termination of employment or as described below. In the case of the death of the employee, payment of unused vacation leave (maximum allowed) at the time of death shall be made payable to the employee’s beneficiary, estate, or as provided by law.

An employee who transfers from a full-time position to a part-time position will be paid for any unused vacation leave that has been earned, not to exceed the maximum allowed.

If an employee changes to a position with a different accrual rate, the accrual will be adjusted effective on the appointment date to the new position.

Procedures:

I. Professional and Career Service Employees

- A. Vacation leave will accrue for all regular full-time and temporary full-time Professional and Career Service employees (120 calendar days) according to the following schedule:
 - 1. Employees with 1-60 months of continuous service at FSW earn one (1) day vacation leave per calendar month or major portion thereof.
 - 2. Employees with 61-120 months of continuous service at FSW earn one and one-fourth (1 ¼) days' vacation leave per calendar month or major portion thereof.
 - 3. Employees with 121 months or more of continuous service at FSW earn one and one-half (1 ½) days' vacation leave per calendar month or major portion thereof.
- B. Vacation leave is cumulative, except that a maximum of forty-four (44) days' vacation leave shall be accrued at the end of any calendar year. A maximum of thirty (30) days shall be paid upon termination or, if elected, upon DROP enrollment.
- C. Accrued vacation in excess of the maximum at the end of any calendar year will be handled as follows:
 - 1. Full-time staff members who have more than 44 unused vacation days will automatically receive payment for up to five (5) unused vacation days by the end of January of the following year. To receive the maximum vacation day payout a staff member needs to have a minimum of 49 unused vacation days as of December 31st of each year.
 - 2. Vacation leave is cumulative up to the maximum number of days as outlined above.
- D. In case of death, such pay shall be paid to the employee's beneficiary, estate, or as provided by law and/or current College policy.

II. Executive and Administrative Employees

- A. Regular full-time and temporary full-time (120 calendar days) Executive and Administrative employees earn vacation leave days as follows:

	Administrative	Executive
Days Earned Per Calendar Month or Major Portion thereof	2	4.0
Maximum Days of Leave Accrued at Calendar Year End	44	70
Maximum Days Paid at Termination	44	70

- B. Vacation leave is cumulative up to the maximum number of days as outlined above. Monies for payment of days in excess of the maximum accrued at calendar year end will be handled as follows:

Administrators:

1. Unused vacation days as of December 31 of each year, in excess of 44 up to 51, will automatically roll into the Bencor National Plan (401(a) qualified retirement plan) for administrators
2. Additional unused vacation days after 51 days, up to a maximum of 10 unused vacation days will automatically be paid to the employee by the end of January of the following year. To receive the maximum vacation day payout a staff member needs to have a minimum of 61 unused vacation days as of December 31st of each year.

# of Unused Vacation Days as of 12/31	# of Unused Vacation Days to Bencor	# of Unused Vacation Days paid to employee	# of Vacation Days Rolled into the Following Year
61	7	10	44

Executives:

1. Unused vacation days in excess of 70 days up to 85 days will automatically roll into the Bencor National Plan (401(a) qualified retirement plan) for administrators
2. Additional unused vacation days after 85, up to a maximum of 100 unused vacation days will automatically be paid to the employee at full value by the end of December. To receive the maximum vacation day payout a staff member needs to have a minimum of 100 unused vacation days as of December 31st of each year.

# of Unused Vacation Days as of 12/31	# of Unused Vacation Days to Bencor	# of Unused Vacation Days paid to employee	# of Vacation Days Rolled into the Following Year
100	15	15	70

The following applies to all employees:

If the monies received for payment of maximum days accrued at termination or, if elected, upon DROP enrollment, are in excess of \$25,000, it is mandatory that the College deposit said sum into the Bencor National Plan (401(a) qualified retirement plan on behalf of all executives, administrators and institutional support staff (faculty excluded).

In case of death, such pay shall be paid to the employee's beneficiary, estate, or as provided by law and/or current College policy.

Vacation payout is subject to Florida Retirement System Employee and Employer contributions up to the maximum amount as directed by the Florida Retirement System.