

ARTICLE 30

**ANNUAL LEAVE, GENERAL EMERGENCY CONDITIONS,
ALLOWANCE FOR UNCLASSIFIED AND MILITARY SERVICE**

PART A. ANNUAL LEAVE

Section 1. Initial Leave Grant.

Each new hire shall be credited with an initial annual leave grant of 16 hours, which shall be immediately available, upon approval of the Employer, for such purposes as voting, religious observance, and necessary personal business. The initial grant of annual leave shall not be credited to an employee more than once in a calendar year. Subsequent to the initial grant of 16 hours, annual leave shall be earned but not be credited and available for use until the employee has completed 720 hours of paid service in the initial appointment. Paid service in excess of 80 hours in a biweekly work period shall not be counted.

Section 2. Annual Leave.

Annual leave shall be credited to each permanent employee at the end of the biweekly work period in which 80 hours of paid service is completed as listed below. Annual leave shall be available for use only in biweekly work periods subsequent to the biweekly work period in which it is earned. When paid service does not total 80 hours in a biweekly work period, the employee shall be credited with a pro-rated amount of leave for that work period based on the number of hours in pay status divided by 80 hours multiplied by the applicable accrual rate.

<u>Time in Service Seniority</u>	=	<u>Annual Leave Earned</u>
0 to 1 year	=	4.0 hrs./80 hrs. service
1 to 5 years	=	4.7 hrs./80 hrs. service
5 to 10 years	=	5.3 hrs./80 hrs. service
10 to 15 years	=	5.9 hrs./80 hrs. service
15 to 20 years	=	6.5 hrs./80 hrs. service
20 to 25 years	=	7.1 hrs./80 hrs. service
25 to 30 years	=	7.7 hrs./80 hrs. service
30 to 35 years	=	8.4 hrs./80 hrs. service
35 to 40 years	=	9.0 hrs./80 hrs. service
40 to 45 years	=	9.6 hrs./80 hrs. service
45 to 50 years	=	10.2 hrs./80 hrs. service

In addition, each permanent employee with more than 1,040 hours of State service shall be credited with an additional annual leave grant of 20 hours at the beginning of each fiscal year. Four of these hours is in lieu of a biennial general election day holiday.

It shall be the employee's responsibility to monitor balances in the annual leave counter to permit crediting of the additional annual leave grant on October 1st.

Section 3. Previous Service.

For the purposes of this Article, previous state service shall be included in the definition of time-in-service; however, any employee who believes their annual leave accrual is affected by this provision shall notify the Employer within 60 days from the effective date of this Agreement.

Any employee who fails to notify the Employer within 60 days after the effective date of the Agreement shall be considered to have waived any claim of error for any period of time prior to the date the employee files a grievance or notifies the Employer, in writing, of the error.

Section 4. Maximum Accrual.

Annual leave may not be authorized, accumulated or credited in excess of the employee's maximum accumulation limit provided below except under the following conditions: If an employee is unable, because of the Employer's decision, to take off annual leave credits that would place the total credits in excess of the employee's maximum accumulation limit, the employee shall be permitted to accumulate no more than an additional 16 hours. The employee's annual leave balance must be reduced to the maximum accumulation limit or less no later than two pay periods after the pay period in which the excess credits are earned. The Employer may require the employee to take sufficient time off within the additional two pay periods to enable reduction of credits to no more than the maximum accrual limit.

Employees may accumulate annual leave only up to the maximum accumulation limits provided below:

<u>Time in Service Seniority</u>	<u>Maximum Accumulation Limit</u>	<u>Maximum Pay Out Limit</u>
0 to 5 years	296 hours	256 hours
5 to 10 years	311 hours	271 hours
10 to 15 years	326 hours	286 hours
15 to 20 years	341 hours	301 hours
20 to 25 years	346 hours	306 hours
25 or more years	356 hours	316 hours

Section 5. Severance.

Employees who terminate their employment after 720 hours of employment shall receive pay for unused annual leave up to the employee's maximum payout limit; however, not more than 240 hours shall be included in

final average compensation for the purpose of calculating an employee's retirement benefits.

Section 6. Summer/Winter Vacation Schedule.

- a. An employee must accumulate sufficient proper paid time off credits (including compensatory time but excluding sick leave) to cover his/her planned vacation period.

- b. The following table illustrates the total number of summer and winter vacation days the employee is eligible for in a year, and the maximum number of vacation days that may be used in either the summer or winter vacation season, depending on the length of continuous service years which, for purposes of this Section, shall be calculated to include military service up to five years:

<u>Length of Service</u>	<u>Total Vacation</u>	<u>Maximum Vacation</u>
0 to 5 years	15 days	10 days
5 to 10 years	18 days	10 days
10 to 15 years	22 days	12 days
15 to 20 years	25 days	15 days
20 to 25 years	28 days	17 days
25 or more years	30 days	20 days

For purposes of summer/winter vacation scheduling, the year starts with the first vacation scheduling period following ratification of this agreement.

Section 7. Guide for Selection of Vacations.

- a. Summer vacation selection shall be completed prior to April 1 and winter vacation selection shall be completed prior to October 1.

- b. Should a conflict arise between more than one employee in scheduling a vacation period, the priority shall be determined as follows:
 - 1. First by seniority in rank as defined in Article 11.
 - 2. Second by total service seniority, as defined in Article 11, Part A, Sections 1 and 6.

- c. Sergeants at any post, unit or section shall select vacations on a separate list from troopers.

- d. The employer will designate the maximum number of employees to be released during any vacation period at one time.

- e. The starting date and ending date of an employee's vacation pick will be determined by the employee, subject to the maximum number of days allowed by contract.
- f. Subject to the maximum number of days allowable by contract, employees may pick a second or subsequent vacation only after every eligible employee has had the opportunity to select a primary vacation.

Section 8. Personal Leave.

An employee may utilize from his/her annual leave credits time off separate from his/her scheduled annual leave period to be utilized for personal business. Reasons for personal leave need not be given to the employee's supervisor and approval for such leave shall be given if the request for personal leave is made at least 72 hours before the beginning of the pay period. If the request is made subsequent to such time, the decision for granting the request shall be within the sole discretion of the supervisor. This personal leave shall not exceed three days per calendar year and sufficient credits must be available to cover the time used. However, personal leave, exempt from supervisory approval, shall not exceed 25% of the employees on a given shift or one employee per day, whichever is greater. Should a conflict arise between more than one employee requesting personal leave the priority shall be determined by total service seniority as described in Section 7 b. above. Personal leave credits shall be utilized only upon the request of the employee. Annual leave for Association business shall not be considered personal leave. Annual leave shall not be denied unless such denial is necessary to maintain standard staffing levels at the work unit.

Section 9. Banked Leave Time.

Accumulated Banked Leave Time (BLT) may be used by an employee in the same manner as regular annual leave. Accumulated BLT hours shall not be counted against the employee's regular annual leave cap, known as Part A hours.

Upon an employee's separation, death or retirement from state service, unused BLT hours shall be contributed by the state to the employee's account within the State of Michigan 401(K) Plan, and if applicable to the State of Michigan 457 Plan. If the employee does not have a 401(K) account, one will be created. Such contribution shall be treated as non-elective employer contributions, and shall be calculated using the product of the following: (I) The number of BLT hours and, (II) The employee's base hourly rate in effect at the time of the employee's separation, death, or retirement from state service.

PART B. COMPENSATION POLICY UNDER CONDITIONS OF GENERAL EMERGENCY

Section 1. General Emergency.

Conditions of general emergency include, but are not necessarily limited to, severe weather, civil disturbance, loss of utilities, physical plant failure or similar occurrences. Such conditions may be widespread or limited to specific work locations.

Section 2. Administrative Determinations.

When conditions in an affected area or a specific location warrant, state facilities may be ordered closed or, if closure is not possible because of the necessity to continue services a facility may be declared inaccessible. The decision to close a state facility or to declare it inaccessible shall be at the full discretion of the Governor or his/her designated representative.

Section 3. Compensation in Situation of Closure.

When a state facility is closed by the Governor or his/her designated representative, affected employees shall be authorized administrative leave to cover their normally scheduled hours of work during the period of closure.

Individual employees of facilities ordered closed may be required to work to perform essential services during the period of closure. When such is the case, these employees shall be compensated in the manner prescribed for employees who work under conditions of declared inaccessibility.

Section 4. Compensation in Situation of Inaccessibility.

If a state facility has not been closed but declared inaccessible in accordance with the Governor's policy, and an employee is unable to report for work due to such conditions, he/she shall be granted administrative leave to cover his/her normally scheduled hours of work during the period of declared inaccessibility.

An employee who works at a state facility during a declared period of inaccessibility shall be paid his/her regular salary and, if overtime work is required, in accordance with the overtime pay regulations. In addition, such employees shall be granted compensatory time off equal to the number of hours worked during the period of declared inaccessibility.

Section 5. Additional Timekeeping Procedures.

If a state facility has not been closed or declared inaccessible during severe weather or other emergency conditions, an employee unable to report to work because of these conditions shall be allowed to use annual leave or compensatory time credits. If sufficient credits are not available, the employee shall be placed on lost time.

When an employee is absent from a scheduled work period, a portion of which is covered by a declaration of closure or inaccessibility, annual leave or compensatory time credits may be used to cover that portion of his/her absence not covered by administrative leave. If sufficient credits are not available, the employee shall be placed on lost time.

Employees who suffer lost time as a result of the application of this policy shall receive credit for a completed biweekly work period for all other purposes.

PART C. ALLOWANCE FOR UNCLASSIFIED AND MILITARY SERVICE

For the purposes of additional annual leave and longevity compensation, an employee shall be allowed state service credit for:

- a. Employment in any non-elective excepted or exempted position in a principal department, the Legislature, or the Supreme Court which immediately preceded entry into State-classified service, or for which a leave of absence was not granted.
- b. Up to five years of honorable active service in the armed forces of the United States for which a Regular Military Leave of Absence would have been granted had the veteran been a State-classified employee at the time he/she entered upon military tour of duty.

When an employee separates from the classified service and subsequently returns, military service for which he/she previously received credit shall not count as currently continuous State service for purposes of requalifying for additional annual leave and longevity compensation if the employee previously qualified for and received these benefits.