

(c) All conditions and restrictions that apply to an employee's use of sick leave for his or her own illness shall apply to sick leave usage to attend to an illness of a child, parent, spouse, or *registered domestic partner* under this section. (Amended 1-1-11)

(d) An employee's use of sick leave under this section does not extend the maximum period of leave to which the employee may be entitled under the California Family Rights Act or the Federal Family and Medical Leave Act.

For purpose of this section only, the following definitions shall apply:

(1) "Child" means a biological, foster, or adopted child, a stepchild, a legal ward, *child of a registered domestic partner or child standing in loco parentis*. (Amended 1-1-11)

(2) "Parent" means a biological, foster, or adoptive parent, a stepparent, a legal guardian, or a *person who stood in loco parentis to the employee when they were a child*. (Amended 1-1-11)

TITLE 8. VACATIONS

8.1 DEFINITIONS

(a) **Eligibility:** The provisions of this Title apply only to regular employees.

(b) **A Regular Employee** is an employee who has fulfilled the applicable requirements of Section 17.5 of this Agreement. (Amended 1-1-91)

(c) **Earned Vacation Allowance** is the number of paid vacation *hours* which an employee has earned in the calendar year. The number of paid vacation *hours* will be determined by the straight-time *hours* worked in the calendar year and years of employment. *An employee may not have more vacation hours than twice their annual accrual rate in their vacation account as of December 31. Excess vacation hours will be paid annually by the end of February beginning in February 2010, based on excess vacation as of December 31 of the prior year and will be paid at the current rate of pay.* (Amended 1-1-09 and 1-1-11)

8.2 VACATION ALLOWANCE

(a) *Employees in their first year of Service, accrue vacation on paid straight time hours at the rate of 80 hours per year. Beginning in the year 2010, a regular employee shall be entitled to take vacation with pay accrued in accordance with the table in Subsection 8.2(b).* (Amended 1-1-09 and 1-1-10)

(b) In the subsequent calendar years a regular employee shall be entitled to vacation with pay in accordance with the following table:

EARNED ANNUAL VACATION	
SERVICE ANNIVERSARY YEAR	NUMBER OF VACATION DAYS (HOURS) EARNED
Up to 1 Year	1-10 days (0 to 80 hours)
1 – 4 Years	10 days / 80 hours
5 - 14 Years	15 days / 120 hours
15 – 20 Years	20 days / 160 hours
21 - 28 Years	25 days / 200 hours
29 or more Years	30 days / 240 hours

(Amended 1-1-09)

- (c) (Deleted 1-1-91)
- (d) (Deleted 1-1-91)
- (e) (Deleted 1-1-91)
- (f) (Deleted 1-1-91)

8.3 SERVICE ANNIVERSARY VACATION - BONUS VACATION

(a) In the fifth calendar year following his/her employment date and in each fifth calendar year thereafter, Company shall grant each *full-time* employee a service anniversary vacation of *40 hours*. A service anniversary vacation shall be in addition to the annual vacation allowance set forth in Section 8.2 above to which the employee

may be otherwise entitled in that calendar year and the employee acquires no right as to all or any part of the service anniversary vacation unless the employee works in the calendar year in which it is granted. The service anniversary vacation, as herein provided, vests on the first day of each calendar year in which an employee qualifies for a service anniversary vacation. (The provisions of this Section shall not apply to intermittent employees.) (Amended 1-1-11)

(b) In each of the first five calendar years following his/her employment date *full-time* employees who have used 40 hours or less of paid or unpaid sick leave in the preceding year shall be entitled to 8 hours of bonus vacation in addition to any vacation allowance the employee is entitled to as set forth in Section 8.2. An employee must complete one year of Service before becoming qualified for such hours. In the tenth calendar year following a *full-time* employee's employment date and in each fifth calendar year thereafter an employee who has used 200 hours or less of sick leave during the five preceding calendar years shall be entitled to 40 bonus hours vacation in addition to the vacation allowance the employee is entitled to as set forth in Section 8.2. In determining the number of sick hours used in computing 200 hours or less, no more than 80 hours for *full-time* employees will be charged to the employee in any one year. The bonus vacation, as herein provided, vests on the first day of each year in which an employee qualifies for a bonus vacation. An employee acquires no right to all or any part of the bonus vacation unless such employee works in the calendar year in which it is granted. (The provisions of this Section shall not apply to intermittent employees.) (Amended 1-1-11)

(c) In the fifth calendar year following his/her employment date and in each fifth calendar year thereafter, Company shall grant each *part-time* employee a service anniversary vacation of 32 hours. A service anniversary vacation shall be in addition to the annual vacation allowance set forth in Section 8.2 above to which the employee may otherwise be entitled in that calendar year and the employee acquires no right as to all or any part of the service anniversary vacation unless the employee works in the calendar year in which it is granted. The service anniversary vacation, as herein provided, vests on the first day of each calendar year in which an employee qualifies for a service anniversary vacation. (The provisions of this Section shall not apply to intermittent employees.) (Added 1-1-11)

(d) In each of the first five calendar years following his/her employment date, *part-time* employees who have used 32 hours or less of paid or unpaid sick leave in the preceding year shall be entitled to eight hours of bonus vacation in addition to any vacation allowance the employee is entitled to as set forth in Section 8.2. An employee must complete one year of Service before becoming qualified for such hours. In the tenth calendar year following a *part-time* employee's employment date and in each fifth calendar year thereafter an employee who has used 160 hours or less of sick leave during the five preceding calendar years shall be entitled to 32 bonus hours of vacation in addition to the vacation allowance the employee is entitled to as set forth in Section 8.2. In determining the number of sick hours used in computing 160 hours or less, no more than 64 hours for *part-time* employees will be charged to the employee in any one year. The bonus vacation, as herein provided, vests on the first day of each year in which an employee qualifies for a bonus. An employee acquires no right to all or any part of the bonus vacation unless such employee works in the calendar year in which it is granted. (The provisions of this Section shall not apply to intermittent employees.) (Added 1-1-11)

8.4 PART-TIME REGULAR EMPLOYEES

A regular part-time or intermittent employee shall earn an annual vacation allowance as determined in the foregoing Section 8.2, but such allowance will be based on the ratio of the total straight-time hours worked by the employee in a year to 2,080 hours. (Amended 1-1-91)

8.5 FORFEITURE OF VACATION

(a) A *full-time* employee who is absent for 240 cumulative hours or more in any calendar year by reason of leave of absence or layoff without pay for any reason, or for 880 hours or more in any calendar year by reason of industrial disability, shall cease accruing vacation until the employee returns to work. (Amended 1-1-09 and 1-1-11)

(b) A *part-time* employee who is absent for 200 cumulative hours or more in any calendar year by reason of leave of absence or layoff without pay for any reason, or for 720 hours or more in any calendar year by reason of industrial disability, shall cease accruing vacation until the employee returns to work. (Added 1-1-11)

(c) If a *full-time* employee's absence is for less than 240 cumulative hours in duration because of leave of absence, or layoff without pay for any reason, or is for less than 880 hours in duration because of industrial disability, an employee shall be entitled to a full vacation as provided for in Section 8.2. (Amended 1-1-09 and 1-1-11)

(d) If a *part-time* employee's absence is for less than 200 cumulative hours in duration because of leave of absence, or layoff without pay for any reason, or is for less than 720 hours in duration because of industrial disability, an employee shall be entitled to a full vacation as provided for in Section 8.2. (Added 1-1-11)

8.6 VACATION ALLOWANCE WHEN LAID OFF FOR LACK OF WORK

An employee who has qualified for a vacation, and who is laid off for lack of work, shall be paid a vacation allowance under the provisions of Section 8.7. Thereafter if the employee returns to work and Service is not deemed to be broken under the provisions of Title 17, vacation shall be computed on the basis of Subsection 8.2(b). (Amended 1-1-09)