

# New York University

## UNIVERSITY POLICIES

**Title:** Vacation Policy – New York & District of Columbia  
**Effective Date:** February 13, 2019  
**Supersedes:** November 7, 2016  
**Issuing Authority:** Executive Vice President  
**Responsible Officer:** Human Resources

### **Statement of Policy**

This Policy addresses vacation for covered employees of New York University in New York and/or Washington, D.C. (collectively, “the University”).

### **To Whom the Policy Applies**

This policy covers full and part-time Administrators and Professionals and Professional Research Staff of the University (hereinafter, “covered employees”).

Regarding NYU-NY, this Policy does not apply to employees covered by a collective bargaining agreement (“CBA”) or other contract. Such employees should refer to the applicable CBA or other contract for any applicable provisions on vacation.

Faculty also are not covered under this Policy, and should consult with the appropriate chairperson or dean and/or refer to the faculty handbook for any applicable policies.

### **Policy and Procedures**

#### **Annual Accrual of Vacation Days**

Subject to the terms and conditions of this policy:

- full-time covered employees who have completed fewer than 15 years of continuous service with the University will accrue 22 vacation days per academic year at a rate of 1.83 days per month, and part-time covered employees who have completed fewer than 15 years of continuous service with the University will accrue the prorated equivalent per academic year at a rate proportional to the number of hours worked per month.
- full-time covered employees who have completed 15 years or more of continuous service with the University will accrue 25 vacation days per academic year at a rate of 2.08 days per month, and part-time covered employees who have completed 15 years or more of continuous service with the University will accrue the prorated equivalent per academic year at a rate proportional to the number of hours worked per month.

For part-time covered employees, to compute the number of vacation days that the employee accrues in a given month: (i) first, calculate the number of hours that the employee worked in the month; (ii) second, divide that number by the standard number of hours that a full-time covered employee is scheduled to work in that month; and (iii) third, multiply that number by the number of days of vacation time that a full-time covered employee is entitled to accrue in that month based on his or her seniority.

- *Example: A part-time covered employee, with five years of continuous service with the University, works 90 hours in the month of October 2016. To determine the employee's rate of vacation accrual for that month, first divide 90 by 147 (the number of hours that a full-time covered employee is scheduled to work in the month). Then multiply that number by 1.83 (the number of days per month that a full-time covered employee with fewer than 15 years of continuous service with the University is entitled to accrue in a month). Under this calculation, the part-time covered employee will have accrued 1.12 days of vacation for that month.*

\*Note: A covered employee must be on active, paid status on the 15<sup>th</sup> of the month in order to accrue vacation for that month.

\*Note: Continuous service with the University, as defined in this policy, includes continuous service as an employee of the University in any capacity, except that it does not include employment as a student employee. Continuous service includes leave time or other time off taken for any purpose recognized under University policy or applicable law, as well as any break in service recognized as continuous service under University policy or applicable law. Time of service is not counted more than once where an employee works contemporaneously in two or more positions with the University.

### **Scheduling Vacation**

A covered employee may not schedule vacation without first consulting with, and obtaining the approval of, his or her supervisor. Covered employees should request approval for vacation time as early as possible so that supervisors have the time to review the request and make the appropriate arrangements. Supervisors shall review all requests in a fair and consistent manner.

A covered employee also may need to abide by school/administrative unit/department-specific protocol regarding the scheduling of vacation. For instance, based on school/administrative unit/department operational needs, a supervisor may set aside periods of time throughout the academic year where vacation may not be taken.

\*Note: Covered employees on probation accrue vacation in the manner set forth above, but cannot begin to use accrued vacation until they have passed the probationary period.

### **Carrying Over Unused Accrued Vacation Days**

Covered employees are strongly encouraged to take all of their vacation days during the academic year in which they are accrued. In the event that a covered employee is not able to use all of his or her vacation days during the academic year, he or she may carry over unused accrued vacation days into the subsequent academic year as follows:

- full-time covered employees who have completed fewer than 15 years of continuous service with the University may carry over up to 11 unused accrued vacation days into the

subsequent academic year. *At no time may the total accumulation of unused vacation time exceed 33 days during an academic year.*

- full-time covered employees who have completed 15 years or more of continuous service with the University may carry over up to 13 unused accrued days into the subsequent academic year. *At no time may the total accumulation of unused vacation time exceed 38 days during an academic year.*

Part-time employees may carry over unused vacation days, up to half of their annual vacation accrual, into the subsequent academic year.

Under extraordinary circumstances, a school/administrative unit/department may request that the AVP of Employee Relations permit a covered employee to carry over unused vacation time in excess of the maximum carry over set forth above. Extraordinary circumstances may include where the covered employee could not take vacation time during the academic year on account of school/administrative unit/department operational needs or because he or she was on an extended leave of absence. The request should be submitted by the appropriate Human Resources (“H.R.”) Officer/H.R. Business Partner on behalf of the employee no less than 10 business days before the start of the academic year for which the employee is seeking to carry over unused vacation time in excess of the maximum carry over set forth above.

### **Vacation Payout Upon Separation**

In accordance with applicable law and University policy, a covered employee will be paid for any unused accrued vacation days available to him or her upon separation from the University (hereinafter, “vacation payout”). A covered employee who resigns or retires from the University must provide the required four weeks’ notice in order to receive his or her vacation payout.