

1 MEMORANDUM OF UNDERSTANDING
2 BETWEEN
3 THE EVERGREEN STATE COLLEGE (EVERGREEN)
4 AND
5 THE WASHINGTON FEDERATION OF STATE EMPLOYEES (UNION)
6 UNIFORMED PERSONNEL

7
8 VACATION LEAVE ACCRUAL INCREASE
9

10 During the 2024 Washington State Legislative session, HB 2246 was passed and signed into law.
11 HB 2246 increases the vacation leave accrual maximum for state employees to 280 hours effective June
12 6, 2024.
13

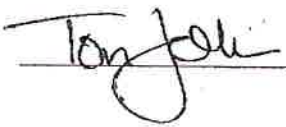
14 The parties agree that Article 11, Vacation Leave, of the 2023-2025 TESC-WFSE Uniformed Personnel
15 Collective Bargaining Agreement will be modified as described in the following attachment, effective
16 June 6, 2024.
17

18 Attachment: Article 11, Vacation Leave
19

20 Agreed To:
21

22 For the Union:

For the Employer:

23
24 



25
26 Date: 06-04-2024

Date: 6/4/2024

27

28

ARTICLE 11

29

VACATION LEAVE

30

31 **11.1** Employees will retain and carry forward any eligible and unused vacation leave that was
32 accrued prior to the effective date of this Agreement.

33

34 **11.2 Vacation Leave Credits**

35

36 A. Full-time and part-time employees will be credited with vacation leave accrued
37 monthly, according to the vacation leave accrual in Article 11.3 and the rate
38 schedule in Article 11.4.

39

40 B. Any employee who brings an accrued vacation leave balance from another state
41 agency or institution may, with supervisor approval, use the previously accrued
42 vacation leave during the probationary review period.

43

44 **11.3 Vacation Leave Accrual**

45 Full-time employees will accrue vacation leave according to the rate schedule below under
46 the following conditions:

47

48 A. Employees working less than full-time schedules will accrue vacation leave on the
49 same proportional basis that their appointment bears to a full-time appointment.

50

51 B. Employees hired the 1st through the 15th of the month will receive the vacation leave
52 accrual credit for that month. Employees hired on the 16th through the end of the
53 month will not receive a vacation leave accrual credit for that month.

54

55 C. Employees who separate from employment with the Employer between the 1st
56 through the 15th of the month will not receive a vacation leave accrual for that

57 month. Employees who separate from employment with the Employer between the
 58 16th through the end of the month will receive the vacation leave accrual credit for
 59 that month.

60
 61 D. Vacation leave will not accrue during leave without pay that exceeds eighty (80)
 62 hours in any calendar month, nor will credit be given toward the rate of vacation
 63 leave accrual except during military leave without pay. Employees working less
 64 than a full-time schedule will not accrue vacation leave during leave without pay
 65 that exceeds the amount that is the same proportional basis that their appointment
 66 bears to a full-time appointment.

67
 68 E. The scheduled period of cyclic year position leave without pay will not be deducted
 69 for purposes of computing the rate of vacation leave accrual for cyclic year
 70 employees.

71
 72 F. Vacation leave accruals for the prior calendar month will be credited and available
 73 for employee use the last day of that calendar month.

74

75 **11.4 Vacation Leave Accrual Rate Schedule**

76

Full Years of Service	Monthly Rates	Hours Per Year
During the first and second year of current continuous state employment	9 hrs, 20 min	One hundred twelve (112)
During the third year of continuous state employment	10 hrs	One hundred twenty (120)
During the fourth year of current continuous state employment	10 hrs, 40 mins	One hundred twenty-eight (128)
During the fifth and sixth years of total state employment	11 hrs, 20 mins	One hundred thirty-six (136)

During the seventh, eighth, and ninth years of total state employment	12 hrs	One hundred forty-four (144)
During the tenth, eleventh, twelfth, thirteenth, and fourteenth years of total state employment	13 hrs, 20 mins	One hundred sixty (160)
During the fifteenth, sixteenth, seventeenth, eighteenth, and nineteenth years of total state employment	14 hrs, 40 mins	One hundred seventy-six (176)
During the twentieth, twenty-first, twenty-second, twenty-third, and twenty-fourth years of total state employment	16 hrs	One hundred ninety-two (192)
During the twenty-fifth year of total state employment and thereafter	16 hrs, 40 mins	Two hundred (200)

77

78 **11.5 Vacation Scheduling**

79 A. Vacation requests will be considered on a first come, first served basis. In the event
 80 that two (2) or more employees request the same vacation period, the supervisor
 81 may limit the number of people who may take vacation leave at one time due to
 82 business needs and work requirements.

83

84 B. Vacation leave will be charged in the amount actually used by the employee.

85

86 C. When considering requests for vacation leave the Employer will take into account
 87 the desires of the employee but may require that leave be taken at a time appropriate
 88 to business and customer service needs.

89

90 D. An employee will not request or be authorized to take scheduled vacation leave if
91 the employee will not have sufficient vacation leave to cover such absence at the
92 time the leave will commence.

93

94

95 E. Vacation leave will be approved or denied within ten (10) calendar days of the
96 request. If the leave is denied, a reason will be provided in writing.

97

98 **11.6 Family Care**

99 Employees may use vacation leave for care of family members as required by the Family
100 Care Act, WAC 296-130.

101

102 **11.7 Military Family Leave**

103 Employees may use vacation leave for leave as required by the Military Family Leave Act,
104 RCW 49.77 and in accordance with Article 19.13.

105

106 **11.8 Domestic Violence Leave**

107 Employees may use vacation leave for leave as required by the Domestic Violence Leave
108 Act, RCW 49.76.

109

110 **11.9 Use of Vacation Leave for Sick Leave Purposes**

111 The Employer may allow an employee who has used all of their sick leave to use vacation
112 leave for sick leave purposes as provided in Article 12.2 A. An employee who has used
113 all of their sick leave may use vacation leave for sick leave purposes as provided in Article
114 12.2 B – J.

115

116 **11.10 Emergency Childcare**

117 Employees may use vacation leave for childcare emergencies after the employee has
118 exhausted all of their accrued compensatory time. Use of vacation leave and sick leave for
119 emergency childcare is limited to a combined maximum of four (4) days per calendar year.

120

121 **11.11 Vacation Cancellation**

122 Should the Employer be required to cancel scheduled vacation leave because of an
123 emergency or exceptional business needs, affected employees may select new vacation
124 leave from available dates. In the event the affected employee has incurred non-refundable,
125 out-of-pocket vacation expense, the employee will normally be reimbursed by the
126 Employer, if the Employer has previously approved the employee's vacation leave request
127 and if the employee has an adequate leave balance at the time of the vacation to take the
128 vacation.

129

130 In those cases where an employee will not have sufficient vacation leave to cover the
131 absence at the time it is scheduled to commence, the Employer may cancel the approved
132 vacation or authorize leave without pay.

133

134 **11.12 Vacation Leave Maximum**

135 Employees may accumulate maximum vacation leave balances not to exceed two hundred
136 and ~~forty-eighty~~ (240280) hours. However, there are two (2) exceptions that allow vacation
137 leave to accumulate above the maximum:

138

139 A. If an employee's request for vacation leave is denied by the Employer, and the
140 employee is close to the vacation leave maximum, the Employer will grant an
141 extension for each month that the Employer must defer the employee's request for
142 vacation leave.

143

144 B. An employee may also accumulate vacation leave days in excess of two hundred
145 and ~~forty-eighty~~ (240280) hours as long as the employee uses the excess balance
146 prior to the employee's anniversary date. Any leave in excess of the maximum that
147 is not deferred in advance of its accrual as described above, will be lost on the
148 employee's anniversary date.

149

150 **11.13 Separation**

151 Any employee who has been employed for at least six (6) continuous months will be
152 entitled to:

153

154 A. Payment of vacation leave credits when they:

155

156 i. Resign with adequate notice and will have a break in service because they
157 have not accepted employment with another state agency or institution;

158

159 ii. Retire;

160

161 iii. Are laid off; or

162

163 iv. Are terminated by the Employer.

164

165 B. The transfer of any unused vacation leave credits to the new employer when they
166 resign to accept employment with another state agency or institution, without a
167 break in services.

168

169 C. Payment for vacation leave credit to the estate of a deceased employee.

170