

Kansas Administrative Regulations

Department of Administration

Article 9.—Hours; Leaves; Employee-Management Relations

1-9-4. Vacation leave.

(a)(1) Each classified employee in a regular position shall be entitled to vacation with pay, which shall be earned and accumulated in accordance with this regulation.

Vacation leave earned each payroll period, the maximum amount of vacation leave that may be accumulated, and the increments in which vacation leave may be used shall be determined as follows.

(A) Each nonexempt employee shall accrue vacation leave in accordance with the following table.

Vacation Leave Table for Nonexempt Employees Hours Earned Per Pay Period Based on Length of Service

Hours in Pay Status Per Pay Period	Less Than 5 Years	5 Years & Less Than 10 Years	10 Years & Less than 15 Years	15 Years & Over
0-7	0.0	0.0	0.0	0.0
8-15	0.4	0.5	0.6	0.7
16-23	0.8	1.0	1.2	1.4
24-31	1.2	1.5	1.8	2.1
32-39	1.6	2.0	2.4	2.8
40-47	2.0	2.5	3.0	3.5
48-55	2.4	3.0	3.6	4.2

56-63	2.8	3.5	4.2	4.9
64-71	3.2	4.0	4.8	5.6
72-79	3.6	4.5	5.4	6.3
80-	3.7	4.7	5.6	6.5
Maximum Accumulation of Hours	144.0	176.0	208.0	240.0

(i) Nonexempt employees shall use vacation leave only in increments of a quarter of an hour.

(ii) For purposes of this regulation, hours in pay status shall include time off while receiving workers compensation wage replacement for loss of work time.

(B) Each exempt employee in a position that is eligible for benefits shall accrue vacation leave in accordance with the following table.

**Vacation Leave Table for
Exempt Employees
Hours Earned Per Pay Period
Based on Length of Service**

Time in Pay Status Per Pay Period	Less Than 5 Years	5 Years & Less Than 10 Years	10 Years & Less than 15 Years	15 Years & Over
0	0.0	0.0	0.0	0.0
> 0	3.7	4.7	5.6	6.5
Maximum Accumulation of Hours	144.0	176.0	208.0	240.0

(i) Exempt employees, including part-time, exempt employees, shall use vacation leave only in either half-day or full-day increments.

(ii) For purposes of this regulation, hours in pay status shall include time off while receiving workers compensation wage replacement for loss of work time.

(C) Each exempt employee in a position that is not eligible for benefits shall earn one-half the amount of leave set out in paragraph (a)(1)(B), based on the employee's length of service.

(2) At the end of the last payroll period paid in each fiscal year, up to 40 hours of any accrued vacation leave that exceeds an employee's maximum accumulation of hours established in paragraphs (a)(1)(A) and (B) shall be converted to sick leave. After this conversion, all remaining vacation leave over the maximum accumulation of hours shall be forfeited at the end of the last payroll period paid in that fiscal year.

(3) If an employee terminates from the service, and if at the time of termination, the employee has more than the maximum accumulation of vacation leave permitted in paragraphs (a)(1)(A) and (B), the employee shall not be paid for any vacation leave in excess of the maximum accumulation to which that employee is entitled.

(b) Increased rates of vacation leave earnings based on length of service shall be calculated in accordance with K.A.R. 1-2-46.

(c) The appointing authority shall not be arbitrary in approving or rejecting vacation leave requests. The appointing authority shall not unreasonably defer the taking of vacations so that for all practical purposes the employee is deprived of vacation rights.

(d) Vacation leave earned by an employee during a pay period shall be available for use on the first day of the following pay period. Subject to the restrictions established in paragraph (a)(3), if the employee resigns or is otherwise separated from the service, any vacation leave earned in the pay period in which the separation occurs shall be credited to the employee, and payment for that leave shall be made to the employee as provided in K.A.R. 1-9-13.

(e) If a holiday on which state offices are closed occurs during an employee's vacation, the holiday hours shall not be charged against the employee's vacation leave.

(f) If an employee, or a member of the employee's family as defined in K.A.R. 1-9-5(e)(2), becomes ill while the employee is taking vacation leave and, for all intents and purposes, the employee is deprived of all or a significant portion of the vacation due to the illness, the appointing authority, upon request of the employee, may charge to sick

leave some or all of the time the employee or family member was ill during the vacation. For purposes of this subsection, "illness" shall include any of the reasons for sick leave identified in K.A.R. 1-9-5(e)(1).

(g) Vacation leave for school employees. Any classified employee in a school institution having scheduled vacation periods at stated times when school is not in session, including Thanksgiving and Christmas, who does not work during the scheduled vacation periods because the employee's services are not required may be granted leave without pay or vacation leave for those periods. Vacation leave taken for this purpose may be charged against accrued vacation leave or against vacation leave that will be accrued during the school term for which the employee is employed. Any classified employee at a school institution that is separated from the service before the end of the school term for which the employee is employed shall be charged on the final pay voucher for any vacation leave used in excess of accrued vacation leave.

(Authorized by K.S.A. 2003 Supp. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1979; amended, E-81-23, Aug. 27, 1980; amended May 1, 1981; amended May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended Jan. 6, 1992; amended Aug. 3, 1992; amended Dec. 17, 1995; amended June 7, 2002; amended June 4, 2004.)

***** Authenticated Kansas Administrative Regulation *****