State of Wisconsin

OFFICE OF STATE EMPLOYMENT RELATIONS

- COMPENSATION AND LABOR RELATIONS BULLETIN-

Date:	April 3, 2009	**Subject:**	Personal & Legal Holidays and Annual Leave Eligibility for Represented Employees, *Except* Members of the Crafts and Teaching Assistants Bargaining Units
Locator No:	OSER-0235-CLR/LR		

The purpose of this bulletin is to update and clarify information regarding the calculation of personal holiday, legal holiday, and annual leave credits. The information in this bulletin applies to all represented employees, *except* members of the Crafts and the two Teaching Assistants bargaining units (TAA and MGAA).

This bulletin supercedes collective bargaining bulletin CBB-61, dated November 30, 1998, which is now obsolete and should be discarded.

NOTE: For information regarding Annual Leave/Holiday Benefits for nonrepresented employees, see Wisconsin Human Resources Handbook Chapter 716.

SECTION I. PERSONAL HOLIDAYS

The generation of personal holiday hours for an employee in a permanent position is determined solely by the percentage of FTE of the position. The number of personal holiday hours an employee is provided each year is not contingent either on the appointment type, i.e., seasonal, sessional, or part-time, or on the total number of hours that an employee is in pay status during a given calendar year.

A. Calculating Personal Holiday Hours

The total number of personal holiday hours provided to an employee is determined at the beginning of each calendar year using the following formula:

(36 hours) multiplied by (% of FTE) = Personal holiday hours per calendar year

The following table includes various FTE levels and the number of personal holiday hours which would be awarded at each level:

FTE Percentage (Full-time Equivalency)	Number of Personal Holiday Hours Per Calendar Year
100%	36 hours
95%	34 hours 12 minutes
90%	32 hours 24 minutes
80%	28 hours 48 minutes
75%	27 hours
60%	21 hours 36 minutes
50%	18 hours

Calculating prorated personal holiday hours using the above formula may result in an amount which includes a fraction of an hour. If this occurs, the employee will be credited with the corresponding number of minutes (see above table for examples). Under no circumstances will these minutes be rounded, either, up or down, to the next whole hour or fraction of an hour.

B. Changes to Percentage of Budgeted Time

If the percentage of the budgeted position is ***increased*** during the calendar year, the affected employee will be credited with the additional personal holiday hours at the time the budget change is made, based on the new higher FTE. Any such change is not retroactive, i.e., the additional hours can only be used prospectively. Calculation of personal holiday hours for the next calendar year will be based on the new higher percentage of FTE.

If the percentage of the budgeted position is ***decreased*** during the calendar year, the affected employee will be allowed to keep the amount of personal holiday hours determined to be appropriate at the beginning of the year for the remainder of that calendar year. Calculation of personal holiday hours for the next calendar year will be based on the new lower percentage of FTE.

No employee will be credited with more personal holiday hours than if the employee was a full-time (100% FTE) employee. For example, an employee holding multiple part-time positions which total greater than 100% FTE is limited to 36 hours of personal holiday (the number currently provided to a 100% FTE employee).

SECTION II. ANNUAL LEAVE & LEGAL HOLIDAYS

A. Annual Leave

Full-time employees are granted annual leave in an amount based on seniority (see individual collective bargaining agreements for annual leave rates). *Part-time employees* are granted a prorated amount of annual leave consistent with the rate for full-time employees. For example, an employee in a 50% FTE position with ten years of seniority earns 50% of the annual leave rate for a full-time employee with ten years of seniority. Proration for part-time employees must be done at least annually.

No annual leave credits are earned for any period of leave of absence without pay. **Exception:** Some collective bargaining agreements contain provisions (found in Article II) which allow employees to continue to earn benefits while on leave without pay for authorized union activities.

B. Legal Holidays

1. *Full-time employees*:

   a. Receive eight (8) hours for each of the nine legal holidays

   b. Full-time employees requesting to work a reduced schedule for two or more pay periods should be considered to be voluntarily working part-time and legal holidays within those pay periods should be prorated commensurate with the hours worked during affected pay periods as stated in 2., below.

2. *Part-time employees*:

   a. **(ADA, SEA, SEIU, WEAC, WLEA WSAA, WSEU, WSP, WSPDA)** All holidays will be prorated on the basis of the projected percentage of the employee's FTE. Proration must be done at least annually (semi-annually for employees covered under the WEAC Agreement).

   b. **(PERSA, WPDA, WPEC)** All holidays are prorated based upon the number of hours an employee is scheduled to work during the pay period in which the holiday falls. Proration must be done at least annually. For example, if a part-time employee is scheduled to work 40 hours (50%) during the pay period in which a holiday falls, the employee will receive four hours (50% of eight hours) of legal holiday pay. If a part-time employee is scheduled to work 80 hours (100%) during the pay period in which a holiday falls, the employee will receive the full eight hours of legal holiday pay.

SECTION III. REFERRAL OF QUESTIONS

Questions regarding the information contained in this bulletin should be directed to Kathy Kopp at (608) 266-0711 or e-mail kathy.kopp@wisconsin.gov, or Tim Borchert at (608) 266-3381 or e-mail tim.borchert@wisconsin.gov.

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