


**THE CALIFORNIA STATE UNIVERSITY**  
**Office of the Chancellor**  
**401 Golden Shore**  
**Long Beach, California 90802-4210**  
**(562) 951-4411**

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**Code: TECHNICAL LETTER**  
**HR/Leaves 2002-01**

**To:** Human Resources Directors  
Payroll Officers

**From:** Cathy Robinson   
Assistant Vice Chancellor  
Human Resources Administration

**Subject: Hourly Intermittent Employees – Leave Accrual and State Service Crediting**

Campuses have requested clarification on the rules for crediting state service and leave accrual benefits for eligible hourly intermittent employees. Unless otherwise superseded by the appropriate Memorandum of Understanding, these guidelines are applicable to appointees employed in an hourly intermittent capacity:

**State Service Crediting:**

Pursuant to Title 5 Section 42905, "State service for the purpose of determining which vacation accumulation rate in the schedule in subsection (a) of Section 42904 to use shall include all qualifying monthly pay periods of service.... For purposes of the schedule in subsection (a) of Section 42904, 160 hours of service of an hourly employee equals one qualifying monthly pay period. However, hours worked in a monthly pay period in excess of 160 shall be carried forward to the next accumulation. Not more than 160 hours may be credited in any one pay period."

**Example:** An employee works 50 hours each month over a four-month period. A state service credit is attained in Month 4, and the carry forward balance is credited as follows:

	Month 1	Month 2	Month 3	Month 4
Hours Worked	50	50	50	50
Accumulated Total	50	100	150	200
Carry Forward	50	100	150	40
State Service Credit				1

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CSU Presidents  
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Ralph Zentner, State Controller's Office

Example: An employee works in excess of 160 hours for three months and zero hours in Month 4:

	Month 1	Month 2	Month 3	Month 4
Hours Worked	167	166	165	0
Carry Forward	7	13	18	18
State Service Credit	1	1	1	

**Vacation and Sick Leave Crediting:**

Pursuant to Title 5 Section 42904, “On the first day of the monthly pay period following completion of each 160 hours of qualifying service, a person employed on an hourly basis shall receive credit for vacation with pay for one complete monthly pay period.” Generally, the amount of vacation allowance credited is based upon the accumulated qualifying service credited pursuant to Section 42905. However, pursuant to Section 42902 (a) and (c), hourly employees designated by the Chancellor as Confidential under the Higher Education Employer-Employee Relations Act, or a Management Personnel Plan employee, shall, on the first day of the monthly pay period following completion of each 160 hours of paid employment, receive two workdays (16 hours) of credit for vacation with pay. For sick leave, eight (8) hours are credited.

For both vacation and sick leave crediting, hours worked in a single pay period in excess of 160 for the purpose of crediting an allowance are **not** carried forward; these excess hours are not counted or accumulated because credit cannot be accrued at a rate greater than fulltime. However, when an employee accumulates 160 or more hours of paid employment (including overtime) over more than one pay period, the accumulated number of hours that exceed 160 may be carried forward towards the next credit.

Hourly employees may be authorized to use vacation and sick leave credits for only the days and hours that they would normally be scheduled to work. In no event shall the total vacation or sick leave credit used exceed forty hours within a workweek period.

**Example:** The vacation allowance per 160 hours of qualifying service for hourly employees extends from 5/6 days to 2 days per month per qualifying pay period pursuant to Sections 42904 and 42902. The following shows the amount of vacation allowance incremented for an hourly employee with up to 15 years of (full time equivalent) qualifying service:

	Employee #1	Employee #2	Employee #3	Employee #4
Qualifying Monthly Service per full time equivalent	First 36 (up to 3 years)	37 thru 72 (3 to 6 years)	73 thru 120 (6 to 10 years)	121 thru 180 (10 to 15 years)
Vacation Allowance	5/6 day	1 ¼ day	1 5/12 day	1 7/12 day
Hourly Equivalent	6.67	10	11.33	12.67

**Example:** An employee works in excess of 160 hours in two of four pay periods. The employee earns a vacation allowance of 6.67 hours and a sick leave credit of 8 hours per qualifying service month:

	Month 1	Month 2	Month 3	Month 4
Hours Worked	167	20	165	50
Carry Forward	0	20	20	70
Vacation Allowance	6.67		6.67	
Sick Leave Credit	8		8	

**Example:** An employee works less than 160 hours in each of four pay periods. The employee earns a vacation allowance of 6.67 hours per qualifying service month:

	Month 1	Month 2	Month 3	Month 4
Hours Worked	158	57	95	85
Accumulated Total	158	215	150	235
Carry Forward	158	55	150	75
State Service Credit		1		1
Vacation Allowance		6.67		6.67
Sick Leave Credit		8		8

**Hourly Employees in Multiple Concurrent Positions:**

When an employee holds two or more “less than full-time” positions (e.g., hourly intermittent), the time worked in each position shall be combined for purposes of computing credits (e.g. for vacation or sick) but such credits cannot exceed full time employment. The credits earned in each position are allocated proportionately per position up to a full time equivalent. An employee holding a position in addition to other full-time employment with the state shall not receive credit for service in the additional position.

**Example:** An hourly intermittent employee worked two concurrent positions in a given pay period. The employee’s vacation allowance rate is at 6.67 hours per qualifying month.

	Hours Worked	Vacation Accrual	Sick Leave	State Service
Position #1	120	5.00	6	.75
Position #2	40	1.67	2	.25
Totals:	160	6.67	8	1

**Example:** An hourly intermittent employee has 30 months of qualifying service and worked in two concurrent positions in a given pay period. One position was in the Management Personnel Plan program.

	Hours Worked	Vacation Accrual	Sick Leave	State Service
MPP Position	40	4.0	2	.25
Position #2	120	5.0	6	.75
Totals:	160	9.0	8	1

**Holidays:**

An hourly employee paid an hourly or daily equivalent of a monthly salary rate is entitled to holiday pay for each holiday in accordance with the following table which reflects proportional holiday pay based on the relationship of total hours worked in the holiday pay period to total hours in that pay period:

<u>Hours on Pay Status During Pay Period *</u>	<u>Holiday Pay in Hours for Each Holiday</u>
0 – 10.9	0
11 – 30.9	1
31 – 50.9	2
51 – 70.9	3
71 – 90.9	4
91 – 110.9	5
111 – 130.9	6
131 – 150.9	7
151 or over	8

\* Exclusive of Holiday Hours not actually worked

Intermittent employees paid an hourly equivalent of a monthly salary rate receive time off with pay for a Personal Holiday, based on the number of hours worked in the pay period in which the personal holiday is taken as noted in the table above. When computing Personal Holiday pay eligibility, if an employee actually worked on other holidays in the same pay period, such hours worked are considered as hours on pay status. Personal Holiday credit not used within the calendar year will be forfeited.

If the status of an employee changes during the pay period, e.g., from fulltime to hourly, all time worked during the pay period is taken into consideration in computing holiday pay.

When an hourly employee moves from one appointing authority to another within the same pay period, e.g., from Campus A to Campus B, each appointing authority will consider only those hours worked and the holidays that occurred during employment in that institution in determining the amount of holiday pay due. The computation of holiday pay provides that no more than eight hours are paid to an employee for any one holiday.

An hourly employee does not receive holiday pay if the effective date of the appointment follows the holiday, or if the employee separated during the pay period, unless the employee worked either on or after the holiday, or the holiday falls within the pay period covered by a lump-sum payment for vacation or extra hours.

**Holiday Informal Time Off**

In December, the Governor may authorize informal time off in celebration of the Christmas and New Year's holiday, and if he/she does, Human Resources will issue a coded memorandum authorizing presidents to provide informal time off for hourly employees, excluding those in class codes 1870, 1871, 1872, 1874, 1875, 1876, 7171 and 7172. Informal time off details will be provided in a technical letter.

This technical letter supersedes references specific to hourly intermittent employment from the following sources: UCAM 6312.03, 6316.04, 6324, 6343.03, 6345 and FSR 84-21. Questions regarding this technical letter may be directed to systemwide Human Resources at (562) 951-4411. This technical letter is available on Human Resources Administration's Web page at: <http://www/calstate.edu/HRAdm/memos.shtml>. Thank you.

CR/dth