

San Bernardino County LEAVE CASH-OUT GUIDELINES

The Leave Cash-Out option is a benefit that allows eligible employees to cash out leave accruals as provided in the appropriate Memorandum of Understanding, Salary Ordinance, or Compensation Plan.

REFERENCES

Current County Memoranda of Understanding (MOU), Salary Ordinance, or Compensation Plan.

FORMS (All fields are mandatory)

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Leave Cash-Out Pre-Designation Agreement – Attorney
Leave Cash-Out Pre-Designation Agreement – Board-Governed Non-Represented - Vacation - Eligible Units
Leave Cash-Out Pre-Designation Agreement - Board-Governed Non-Represented Supervisory
Leave Cash-Out Pre-Designation Agreement - Board-Governed SBC Fire - Local 935 Suppression
Leave Cash-Out Pre-Designation Agreement – Exempt - Board-Governed Exempt
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Leave Cash-Out Request – Administrative Leave – Eligible Units
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Leave Cash-Out Request - One-Time Administrative Leave - Board-Governed Non-Represented Supervisory
Leave Cash-Out Request - One-Time Administrative Leave - Exempt - Board-Governed Exempt
Leave Cash-Out Request – One-Time Administrative Leave - Specialized Peace Officers Supervisory
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GENERAL INFORMATION

A Leave Cash-Out Pre-Designation Agreement must be submitted in order to cash out leave without penalty (based on employee eligibility) while a Request form is typically required only if electing to cash out leave prior to pay period 26 (or pay period 27, when applicable) of the calendar year. A Request form is not required in the last pay period of the payroll calendar year unless the employee wants to designate the distribution to 401(k) Defined Compensation Plan and/or 457(b) Deferred Compensation Plan. Special rules may apply for certain leave cash-outs if the employee is separating prior to pay period 26.

For current payroll calendar information, refer to Master Calendar for EMACS Processing.

LEAVE CASH-OUT PRE-DESIGNATION AND REQUEST - Attorney

Attorney Leave Cash-Out

Attorney Leave may be cashed out during the payroll calendar year. To cash out Attorney Leave hours a *Leave Cash-Out Pre-Designation Agreement* must be submitted by the due date.

The following guidelines apply:

- 1. Number of hours elected may not be less than 8 and may not be more than 40.
- 2. All leave cash-out requests must be in whole hour increments.
- 3. Request must not exceed the number of hours designated on the Leave Cash-Out Pre-Designation Agreement. Cash-out "With Penalty" is not an option.

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- 4. Any designated hours not cashed out by pay period 25 will automatically be converted to cash in pay period 26.
- 5. Hours that were not pre-elected will not cash out and will be carried over up to a maximum unused balance of 480 hours. A *Leave Cash-Out Request* is not required in the last pay period of the payroll calendar year unless the employee wants to designate the distribution to 457(b) Deferred Compensation Plan.
- 6. If an employee separates prior to pay period 26, a *Leave Cash-Out Request* form must be submitted prior to separation to have any remaining leave hours pre-designated to cash out.

LEAVE CASH-OUT PRE-DESIGNATION AND REQUEST – Board-Governed Non-Represented Supervisory

Vacation Leave Cash-Out

To cash out Vacation Leave hours, a Leave Cash-Out Pre-Designation Agreement must be submitted by the due date.

The following guidelines apply:

- 1. Employee must have used at least 80 hours of Vacation Leave during the preceding payroll calendar year.
- 2. Request must not be less than 10 hours and may not exceed 60 hours.
- 3. Request must not exceed the number of hours designated on the Leave Cash-Out Pre-Designation Agreement. Cash-out "With Penalty" is not an option.
- 4. Request must not exceed the number of hours accrued for the current calendar year. Leave hours are available for cash out in the pay period following the actual accrual.
- 5. All leave cash-out requests must be in whole hour increments.
- 6. Only one cash-out request may be submitted during a payroll calendar year.
- 7. Any pre-designated hours not used or cashed out by the last pay period of the payroll calendar year will automatically be converted into cash in the last pay period of the payroll calendar year. A *Leave Cash-Out Request* form is not required in the last pay period of the payroll calendar unless the employee wants to designate the distribution to 457(b) Deferred Compensation Plan.

Without Penalty - Administrative Leave Cash-Out

To cash out Administrative Leave hours without penalty, a Leave Cash-Out Pre-Designation Agreement must be submitted by the due date.

The following guidelines apply:

- 1. Administrative Leave cash-out requests must be for 40 hours.
- 2. Request must not exceed the number of hours designated on the Leave Cash-Out Pre-Designation Agreement.
- 3. Leave hours are available for cash out in the pay period following the actual accrual. To cash out more leave than has been accrued in the payroll calendar year, refer to the "With Penalty" section.
- 4. All leave cash-out requests must be in whole hour increments.
- 5. Administrative Leave can be cashed out only **one time during the employee's employment** and prior to retirement or separation, regardless of the actual number of hours that are converted to cash.
- 6. Any pre-designated hours not cashed out by the last pay period of the payroll calendar year will automatically be converted into cash in the last pay period of the payroll calendar year. A *Leave Cash-Out Request* form is not required in the last pay period of the payroll calendar year unless the employee wants to designate the distribution to 457(b) Deferred Compensation Plan.
- 7. If an employee separates prior to pay period 26, a *Leave Cash-Out Request* form must be submitted prior to separation to have any remaining leave hours pre-designated to cash out to count as earnable compensation.

With Penalty - Administrative Leave Cash-Out

If a Leave Cash-Out Pre-Designation Agreement was **not** completed during the prior payroll calendar year, the employee has not accrued the leave in the current calendar year, or would like to cash out hours in excess of the amount specified on the *Pre-Designation Agreement*, the employee may still cash out Administrative Leave hours with a **10% penalty**. This option may be selected any time during the year.

The following guidelines apply:

- 1. Administrative Leave can be cashed out only **one time during the employee's employment** and prior to retirement or separation, regardless of the actual number of hours that are converted to cash.
- 2. All leave cash-out requests must be in whole hour increments.
- 3. A 10% penalty will be assessed

For example: Requested hours to cash-out 00.08 Less 10% penalty -8.00 72.00 Total hours paid

4. The leave balance will be reduced by the number of "Requested Hours to Cash-out" (not the "Actual Hours to Cash-Out).

LEAVE CASH-OUT PRE-DESIGNATION AND REQUEST – Board-Governed SBC Fire Suppression

Without Penalty - Vacation/Holiday Leave Cash-Out

To cash out Vacation or Holiday Leave hours without penalty, a Leave Cash-Out Pre-Designation Agreement must be submitted by the due date.

The following guidelines apply:

- 1. Vacation Leave cash-out requests must be for at least 14 hours and must not exceed 112 hours.
- 2. Holiday Leave cash-out requests must be for at least 40 hours and must not exceed the lesser of 155 hours or the number of hours accrued to date in the current calendar year.
- 3. All leave cash-out requests must be in whole hour increments.
- 4. Request may not exceed the number of hours accrued in the current calendar year. Leave hours are available for cash out in the pay period following the actual accrual. To cash out more leave than has been accrued in the payroll calendar year, refer to the "With Penalty" section.
- 5. Request must not exceed the number of hours designated on the Leave Cash-Out Pre-Designation Agreement. To cash out more leave than specified on the Pre-Designation Agreement, refer to the "With Penalty" section.
- 6. Any pre-designated hours not cashed out by the last pay period of the payroll calendar year will automatically be converted into cash in the last pay period of the payroll calendar year. A Leave Cash-Out Request form is not required in the last pay period of the payroll calendar year unless the employee wants to designate the distribution to 457(b) Deferred Compensation Plan.

With Penalty - Vacation/Holiday Leave Cash-Out

If a Leave Cash-Out Pre-Designation Agreement was **not** completed during the prior payroll calendar year, the employee has not accrued the leave in the current calendar year, or would like to cash out hours in excess of the amount specified on the Pre-Designation Agreement, the employee may still cash out Vacation (up to a combined total of 112 hours) or Holiday Leave hours with a 10% penalty. This option may be selected any time during the year.

The following guidelines apply:

- 1. Vacation leave cash-out requests must be for at least 14 hours and must not exceed 112 hours.
- 2. Holiday leave cash-out requests must be for at least 40 hours and must not exceed 155 hours.
- 3. All leave cash-out requests must be in whole hour increments.
- 4. A 10% penalty will be assessed

For example: Requested hours to cash-out 80.00 Less 10% penalty -8.00 Total hours paid 72.00

5. The leave balance will be reduced by the number of "Requested Hours to Cash-out" (not the "Actual Hours to Cash-Out).

Note: Cashing out leave with penalty does not reduce the obligation per the agreement. The original Leave Cash-Out Pre-Designation Agreement will still be in effect.

Example: Employee's Pre-Designation Agreement is for 70 hours of Vacation Leave, the employee completes a Leave Cash-Out Request for 40 hours with penalty. The employee is still obligated to cash out of 70 hours of Vacation Leave without penalty (combined total must not exceed 112 hours).

LEAVE CASH-OUT PRE-DESIGNATION AND REQUEST – Exempt and Board-Governed Exempt

Without Penalty - Vacation/Holiday/Administrative Leave Cash-Out

To cash out Vacation, Holiday, and/or Administrative Leave hours without penalty, a Leave Cash-Out Pre-Designation Agreement must be submitted by the due date.

The following guidelines apply:

- 1. Vacation Leave cash-out requests must be for at least 10 hours and must not exceed 160 hours.
- 2. Holiday Leave cash-out requests must be for at least 8 hours and must not exceed the annual amount to be accrued for the current calendar year.
- 3. Administrative Leave cash-out requests must be for 80 hours.
- 4. Request may not exceed the number of hours accrued in the current calendar year. Leave hours are available for cash out in the pay period *following* the actual accrual. To cash out more leave than has been accrued in the payroll calendar year, refer to the "With Penalty" section.
- 5. All leave cash-out requests must be in whole hour increments.
- 6. Administrative Leave can be cashed out only **one time during the employee's employment** and prior to retirement or separation, regardless of the actual number of hours that are converted to cash.
- 7. Request must not exceed the number of hours designated on the Leave Cash-Out Pre-Designation Agreement. To cash out more leave than specified on the Pre-Designation Agreement, refer to the "With Penalty" section.
- 8. Any pre-designated hours not cashed out by the last pay period of the payroll calendar year will automatically be converted into cash in the last pay period of the payroll calendar year. A *Leave Cash-Out Request* form is not required in the last pay period of the payroll calendar year unless the employee wants to designate the distribution to 401(k) Defined Compensation Plan and/or 457(b) Deferred Compensation Plan.
- 9. If an employee separates prior to pay period 26, a *Leave Cash-Out Request* form must be submitted prior to separation to have any remaining leave hours pre-designated to cash out to count as earnable compensation.

With Penalty - Vacation/Holiday/Administrative Leave Cash-Out

If a Leave Cash-Out Pre-Designation Agreement was **not** completed during the prior payroll calendar year, the employee has not accrued the leave in the current calendar year, or would like to cash out hours in excess of the amount specified on the Pre-Designation Agreement; the employee may still cash out Vacation, Holiday, and/or Administrative Leave hours with a **10% penalty**. This option may be selected any time during the year.

The following guidelines apply:

- 1. Vacation Leave cash-out requests must be for a minimum of 10 hours.
- 2. Holiday Leave cash-out requests must be for a minimum of 8 hours.
- 3. Administrative Leave can be cashed out only **one time during the employee's employment** and prior to retirement or separation, regardless of the actual number of hours that are converted to cash.
- 4. All leave cash-out requests must be in whole hour increments.
- 6. A 10% penalty will be assessed

For example: Requested hours to cash-out 80.00
Less 10% penalty -8.00
Total hours paid 72.00

7. The leave balance will be reduced by the number of "Requested Hours to Cash-out" (not the "Actual Hours to Cash-Out).

Note: Cashing out leave with penalty does not reduce the obligation per the pre-designation agreement. The original *Leave Cash-Out Pre-Designation Agreement* will still be in effect.

Example: Employee's *Pre-Designation Agreement* is for 160 hours, the employee completes a *Leave Cash-Out Request* for 40 hours with penalty. The employee is still obligated to cash out 160 hours without penalty.

Converting Sick Leave Hours To Vacation Leave Hours

Any Sick Leave hours converted to Vacation Leave hours are not considered time accrued for the calendar year. All requests to cash out converted hours are automatically subject to a **10% penalty**.

Note: A Leave Conversion Request - Sick Leave to Vacation Leave - Exempt must be attached to the Leave Cash-Out Request if the cash-out is using the leave that is being converted.

LEAVE CASH-OUT REQUEST FOR ADMINISTRATIVE LEAVE - Management, Supervisory, Safety Management/Supervisory

Administrative Leave Cash-Out

To cash out Administrative Leave, a Leave Cash-Out Request for Administrative Leave must be submitted within the

payroll calendar year.

The following guidelines apply:

- 1. Administrative leave may be cashed out once during the payroll calendar year.
- 2. All leave requests must be in whole hour increments.
- 3. Request may not exceed the number of hours accrued during the current calendar year, at the monthly accrual rate less any hours used. Only those hours accrued are available for cash out.
 - Example: 40 hours of Administrative Leave accrued per year divided by 12 months = 3.333 (monthly accrual rate). To cash out in pay period 16 (which falls in July), the employee would have accrued 7 months for a total of 23.33 hours. In this example, the employee would be eligible to cash out 23 hours in pay period 16. If the employee previously used 8 hours of Administrative Leave the hours would be reduced to 15 (23 minus 8) hours.
- 4. All Administrative Leave remaining in the last pay period of the payroll calendar year will automatically cash out. A *Request* form is not required in the last pay period of the payroll calendar year unless the employee designates the distribution to 457(b) Deferred Compensation Plan.

LEAVE CASH-OUT PRE-DESIGNATION AND REQUEST – Safety or Safety Management/Supervisory

Annual/Vacation Leave Cash-Out

To cash out Annual/Vacation Leave hours, a Leave Cash-Out Pre-Designation Agreement must be submitted by the due date.

The following guidelines apply:

- 1. Employee must have used the minimum required leave during the preceding payroll calendar year:
 - A Safety Unit employee must have used 80 hours of Annual Leave (Annual Leave is listed as Vacation Leave on the EMACS system);
 - A Safety Management/Supervisory Unit employee must have used 40 hours of Vacation and/or Holiday Leave.
- 2. Requests must not exceed 40 hours.
- 3. Requests must not exceed the number of hours accrued for the current calendar year. Leave hours are available for cash out in the pay period following the actual accrual.
- 4. Request must not exceed the number of hours designated on the Leave Cash-Out Pre-Designation Agreement. Cash-out "With Penalty" is not an option.
- 5. All leave cash-out requests must be in whole hour increments.
- 6. Only one cash-out request may be submitted during a payroll calendar year.
- 7. Any pre-designated hours not cashed out by the last pay period of the payroll calendar year will automatically be converted into cash in the last pay period of the payroll calendar year. A Leave Cash-Out Request form is not required in the last pay period of the payroll calendar year unless the employee wants to designate the distribution to 457(b) Deferred Compensation Plan.

LEAVE CASH-OUT PRE-DESIGNATION AND REQUEST – Specialized Peace Officer Supervisory

Vacation Leave Cash-Out

To cash out Vacation Leave hours, a Leave Cash-Out Pre-Designation Agreement must be submitted by the due date.

The following guidelines apply:

- 1. Employee must have used at least 80 hours of Vacation Leave during the preceding payroll calendar year.
- 2. Request for Vacation Leave must not be less than 10 hours and may not exceed 60 hours.
- 3. Request must not exceed the number of hours designated on the Leave Cash-Out Pre-Designation Agreement. Cash-out "With Penalty" is not an option.
- 4. Request must not exceed the number of hours accrued for the current calendar year. Leave hours are available for cash out in the pay period following the actual accrual.
- 5. All leave cash-out requests must be in whole hour increments.
- 6. Only one cash-out request may be submitted during a payroll calendar year.
- 7. Any pre-designated hours not used or cashed out by the last pay period of the payroll calendar year will automatically be converted into cash in the last pay period of the payroll calendar year. A Leave Cash-Out

Request form is not required in the last pay period of the payroll calendar unless the employee wants to designate the distribution to 457(b) Deferred Compensation Plan.

Without Penalty - Administrative Leave Cash-Out

To cash out Administrative Leave hours, a Leave Cash-Out Pre-Designation Agreement must be submitted by the due date.

The following guidelines apply:

- 1. Request may not exceed the number of hours accrued in the current calendar year:
 - 40 hours for all employees, except Supervising Deputy Coroner Investigator II
 - 80 hours for Supervising Deputy Coroner Investigator II
- 2. Administrative Leave can be cashed out only **one time during the employee's employment** and prior to retirement or separation, regardless of the actual number of hours that are converted to cash.
- 3. Request must not exceed the number of hours designated on the Leave Cash-Out Pre-Designation Agreement.
- 4. All leave cash-out requests must be in whole hour increments.
- 5. Any pre-designated hours not used or cashed out by the last pay period of the payroll calendar year will automatically be converted into cash in the last pay period of the payroll calendar year. *A Leave Cash-Out Request* form is not required in the last pay period of the payroll calendar unless the employee wants to designate the distribution to 457(b) Deferred Compensation Plan.
- 6. If an employee separates prior to pay period 26, a *Leave Cash-Out Request* form must be submitted prior to separation to have any remaining leave hours pre-designated to cash out to count as earnable compensation.

With Penalty - Administrative Leave Cash-Out

If an employee did not submit a *Leave Cash-Out Pre-Designation Agreement* during the prior payroll calendar year <u>and</u> separates form County employment, the employee may still cash out Administrative Leave hours with a **10% penalty**. This option may be selected any time during the year.

The following guidelines apply:

- 1. Request may not exceed the number of hours accrued during the current calendar year, at the monthly accrual rate of 3.33 hours (or 6.67 hours per month for Supervising Deputy Coroner Investigator II) less any hours used. Only those hours accrued are available for cash out.
- 2. All leave cash-out requests must be in whole hour increments.
- 3. Administrative Leave can be cashed out only **one time during the employee's employment** and prior to retirement or separation, regardless of the actual number of hours that are converted to cash.
- 4. A 10% penalty will be assessed

For example: Requested hours to cash-out 80.00
Less 10% penalty -8.00
Total hours paid 72.00

5. The leave balance will be reduced by the number of "Requested Hours to Cash Out" (not the "Actual Hours to Cash Out).

Note: Cashing out leave with penalty does not reduce the obligation per the pre-designation agreement.

Example: Employee's *Pre-Designation Agreement* is for 40 hours, the employee completes a *Leave Cash-Out Request* for 10 hours with penalty. The employee is still obligated to cash out 40 hours without penalty.

LEAVE CASH-OUT PRE-DESIGNATION AND REQUEST – Vacation – Eligible Units Board-Governed Non-Represented, General Services Unit, Water and Sanitation

Vacation Leave Cash-Out

To cash out Vacation Leave hours, a Leave Cash-Out Pre-Designation Agreement must be submitted by the due date.

The following guidelines apply:

- 1. Employee must have used at least 80 hours of Vacation Leave during the preceding payroll calendar year.
- 2. Request for Vacation Leave must not be less than 10 hours and may not exceed 60 hours.
- 3. Request must not exceed the number of hours designated on the Leave Cash-Out Pre-Designation Agreement.

Cash-out "With Penalty" is not an option.

- 4. Request must not exceed the number of hours accrued for the current calendar year. Leave hours are available for cash out in the pay period following the actual accrual.
- 5. All leave cash-out requests must be in whole hour increments.
- 6. Only one cash-out request may be submitted during a payroll calendar year.
- 7. Any pre-designated hours not used or cashed out by the last pay period of the payroll calendar year will automatically be converted into cash in the last pay period of the payroll calendar year. *A Leave Cash-Out Request* form is not required in the last pay period of the payroll calendar unless the employee wants to designate the distribution to 457(b) Deferred Compensation Plan.

LEAVE CASH-OUT FOR COMPENSATORY TIME – Safety or Safety Management/Supervisory

Compensatory Time Leave Cash-Out

Employees in the Safety/Safety Management and Supervisory Unit may cash out accrued compensatory time.

The following guidelines apply:

- 1. A Pre-Designation Agreement is not required.
- 2. Request must not exceed 40 hours.
- 3. All leave requests must be in whole hour increments.
- 4. Request is processed in the pay period in which April 15th falls.

LEAVE CASH-OUT AGREEMENT AND REQUEST - Self Governed (Safety and Exempt)

Without Penalty - Vacation/Holiday Leave Cash-Out

To cash out Vacation or Holiday Leave hours without penalty, a Leave Cash-Out Pre-Designation Agreement must be submitted by the due date.

The following guidelines apply:

- 1. Vacation leave cash-out requests must be for at least 10 hours and must not exceed 160 hours.
- 2. Holiday leave cash-out requests must be for at least 8 hours and must not exceed the annual amount to be accrued for the current calendar year.
- 3. All leave requests must be in whole hour increments.
- 4. Request may not exceed the number of hours accrued in the current calendar year. Leave hours are available for cash out in the pay period following the actual accrual. To cash out more leave than has been accrued in the payroll calendar year, refer to the "With Penalty" section.
- 5. Request must not exceed the number of hours designated on the Leave Cash-Out Pre-Designation Agreement. To cash out more leave than specified on the Pre-Designation Agreement, refer to the With Penalty section.
- 6. Any designated hours not cashed out by the last pay period of the payroll calendar year will automatically be converted into cash in the last pay period of the payroll calendar year. *A Leave Cash-Out Request* form is not required in the last pay period of the payroll calendar year unless the employee wants to designate the distribution to 401(k) Defined Compensation Plan and/or 457(b) Deferred Compensation Plan.

With Penalty - Vacation/Holiday Leave Cash-Out

If a Leave Cash-Out Pre-Designation Agreement was **not** completed during the prior payroll calendar year, the employee has not accrued the leave in the current calendar year, or would like to cash out hours in excess of the amount specified on the Pre-Designation Agreement, the employee may still cash out vacation or holiday leave hours with a **10% penalty**. This option may be selected any time during the year.

The following guidelines apply:

- 1. Vacation leave cash-out requests must be for a minimum of 10 hours.
- 2. Holiday leave cash-out requests must be for a minimum of 8 hours.
- 3. All leave requests must be in whole hour increments.
- 4. A 10% penalty will be assessed

For example: Requested hours to cash-out 80.00
Less 10% penalty -8.00
Total hours paid 72.00

6. The leave balance will be reduced by the number of "Requested Hours to Cash Out" (not the "Actual Hours to Cash

Out).

Note: Cashing out leave with penalty does not reduce the obligation per the agreement. The original *Leave Cash-Out Pre-Designation Agreement* will still be in effect.

Example: Employee's *Pre-Designation Agreement* is for 160 hours, the employee completes a *Leave Cash-Out Request* for 40 hours with penalty. The employee is still obligated to cash out 160 hours without penalty.

Administrative Leave Cash-Out

Administrative leave may be cashed out during the payroll calendar year.

The following guidelines apply:

- 1. All leave requests must be in whole hour increments.
- 2. Any administrative leave accrual balances remaining at the end of the last pay period in the payroll calendar year will automatically be paid at the employee's then current base rate of pay.

Converting Sick Leave Hours To Vacation Leave Hours

Refer to specific guidelines for your district

EMPLOYEE RESPONSIBILITIES

- Complete Pre-Designation Agreement by due date, if applicable
- Submit forms to department payroll specialist
- Complete Cash-Out Request at least 15 working days prior to desired pay date for cash payment and 20 working days for 457(b) Deferred Compensation Plan and/or 401(k) Defined Contribution Plan payment option
- ◆ Complete Salary Savings Plan 457(b) Deferred Compensation Plan Agreement and/or Salary Savings 401(k) Defined Contribution Plan Participation Agreement form, if applicable

PAYROLL SPECIALIST RESPONSIBILITIES

- Audit forms for completeness
- Obtain appropriate signatures as applicable
- Retain copies for department file
- Pre-Designation Agreement Submit to EMACS-Payroll (0030)
- ◆ If cash-out request is designated to 457(b) Deferred Compensation Plan and/or 401(k) Defined Contribution Plan

 submit forms to EBSD-HR (0440)