

## CAPS Proposal

March 11, 2009

### 3.19 Voluntary Personal Leave Program (VPLP)

The State shall continue a Voluntary Personal Leave Program (VPLP) for all unit employees. Employees may voluntarily participate in the Personal Leave Program (PLP) on a continuing basis.

A. Each full-time employee subject to paragraph B shall be credited with ~~eight (8)~~ sixteen (16) hours of Voluntary Personal Leave on the first day of the following monthly pay period for each month in the VPLP.

B. Each full-time employee participating in the VPLP shall continue to work his/her assigned work schedule and shall have a reduction in pay equal to ~~5 9.23%~~. In exchange ~~eight (8)~~ sixteen (16) hours of leave will be credited to the employee's VPLP monthly.

C. Voluntary Personal Leave shall be requested and used by the employee in the same manner as vacation or annual leave. Requests to use Voluntary Personal Leave must be submitted in accordance with departmental policies on vacation and annual leave. Voluntary Personal Leave shall not be included in the calculation of vacation/annual leave balances pursuant to Article 3 (Leaves).

D. An employee may accumulate no more than ~~240~~ 480 hours of VPLP. When an employee reaches ~~240~~ 480 hours of Voluntary Personal Leave or would exceed ~~240~~ 480 hours of Voluntary Personal Leave with further accumulation, he/she shall be removed from the VPLP.

When an employee is removed from the VPLP, he/she may not participate for a minimum of 12 months and he/she is not eligible to re-enroll until his/her balance is reduced to a maximum of 120 hours.

E. At the discretion of the State, all or a portion of unused personal leave credits may be cashed out at the employee's salary rate at the time the personal leave payment is made. It is understood by both parties that the application of this cash out provision may differ from department to department and from employee to employee. Upon termination from State employment, the employee shall be paid for unused personal leave credits in the same manner as vacation or annual leave. Cash out or lump sum payment for any personal leave credits shall not be considered as compensation for purposes of retirement. If funds become available, as determined by the Department of Finance, for the PLP, departments will offer employees the opportunity to cash out accrued personal leave. Upon retirement/separation, the cash value of the employee's personal leave balance may be transferred into a state of California Department of Personnel Administration Savings Plus Deferred Compensation Program as permitted by federal and state law.

F. An employee may not use any kind of paid leave such as sick leave, vacation, or holiday time to avoid a reduction in pay resulting from the VPLP.

G. A State employee in the VPLP shall be entitled to the same level of State employer contributions for health, vision, dental, flex-elect cash option, and enhanced survivor's benefits he or she would have received had the employee not participated in the VPLP.

H. Participation in the VPLP shall not cause a break in State service, a reduction in the employee's accumulation of service credit for the purposes of seniority and retirement, leave accumulation, or a merit salary adjustment.

I. Participation in the VPLP shall neither affect the employee's final compensation used in calculating State retirement benefits nor reduce the level of State death or disability benefits the employee would otherwise receive or be entitled to receive nor shall it affect the employee's ability to supplement those benefits with paid leave.

J. Part-time employees shall be subject to the same conditions as stated above, on a prorated basis.

K. The VPLP for intermittent employees shall be prorated based upon the number of hours worked in the monthly pay period.

L. The VPLP shall be administered consistent with the existing payroll system and the policies and practices of the State Controller's Office.

M. Employees on EIDL, NDI, IDL, or Worker's Compensation for the entire monthly pay period shall be excluded from the VPLP for that month.

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