

**COUNTY OF ORANGE, VIRGINIA  
PERSONNEL POLICIES MANUAL**

**ANNUAL LEAVE AND PAID TIME OFF (PTO)**

**POLICY NO.:** 5.1

**EFFECTIVE:** 10/1/96

**REVISED:** 4/25/17

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**OVERVIEW:** It is the intent of the County to provide for paid time off for vacations or other personal purposes. Annual Leave and Paid Time Off (PTO) are to be used at the employee's discretion, with the approval of the Department Director, Constitutional Officer, or County Administrator.

**SECTION I**

**SCOPE:** Section I of this policy applies to all regular full-time employees categorized as Plan 1 or Plan 2 under the Virginia Retirement System (VRS), including employees of Constitutional Officers subject to the County's personnel policies.

**PROVISIONS:**

A. Accrual of Annual Leave

1. Annual leave is accrued on a bi-weekly basis beginning with the first day of the pay period. At the discretion of the County Administrator, annual leave may be accrued during a partial pay period, or during any pay period in which the employee has a period of absence without pay. The rate at which the annual leave is accrued is dependent upon the length of the employee's service with the County and the length of the standard work week. The accrual schedule is shown in the table of Annual Accrual Rates and Limits on Page 2 of this policy.
2. Employees who join the County staff from Orange County government entities with which the County Administrator has a reciprocal leave agreement, may be permitted to transfer in any unused annual leave they earned with their previous employer, adjusted to reflect any differences in accrual policy.
3. At the discretion of the County Administrator, in the case of transfer from one local government agency to Orange County, the total length of service of the employee from the other local government agency may be used as a factor to determine the employee's rate of accrual of annual leave with Orange County. This must be

negotiated and established at the time of employment. For purposes of this policy, a qualifying local government agency must be one recognized by the Virginia Retirement System (VRS).

**Annual Accrual Rates and Limits**

<b>Standard Work Week/Month</b>	<b>&lt; 5 Years</b>	<b>5-9 Years</b>	<b>10-19 Years</b>	<b>≥ 20 Years</b>
40 hours/171 hours	80 hours	120 hours	144 hours	176 hours
212 hours	106 hours	159 hours	191 hours	233 hours
Maximum Accrual – 40 hours/171 hours	192 hours	298 hours	358 hours	436 hours
Maximum Accrual – 212 hours	255 hours	395 hours	475 hours	578 hours

**B. Use of Annual Leave**

1. Annual leave may be used for any reason the employee chooses; however, the employee must obtain approval from the immediate supervisor for the desired time off. It is the County policy that all employees are encouraged to use all annual leave in the year in which it is accrued.
2. The request to take annual leave should be made as far in advance as possible. The employee must complete a Request for Leave Form (Form 5.1.1) and obtain approval from the Department Director or Constitutional Officer. Once the leave is taken, the form should be submitted with the employee’s work record.
3. At the discretion of the Department Director or Constitutional Officer, and after approval by the County Administrator, annual leave may be “advanced” up to the amount that will be accrued in the calendar year. An employee who terminates or is terminated from County employment before advanced leave is fully accrued will be obligated to reimburse the County for the amount of the leave deficit. Employees must execute an Advance Leave Repayment Agreement Form (Form 5.1.2) acknowledging their responsibility to repay any leave deficit prior to incurring such a deficit.
4. An employee may be scheduled to work a number of hours during a pay period that would result in the employee being paid overtime compensation or given compensatory time. In such an event, the employee shall be paid for all annual leave taken during hours the employee would have normally been scheduled to work, even if doing so results in the employee being paid overtime compensation or given compensatory time for time that the employee was taking annual leave.

C. Maximum Accrual of Annual Leave

1. After the County has reported all leave used through December of each year, employees may not have more than the maximum annual leave allowed for their years of service as defined by the table of Annual Accrual Rates and Limits on Page 2 of this policy.
2. It is the responsibility of the Department Director and employee to manage leave balances.
3. An employee who does not use leave balances in excess of the maximum accrual allowed by the end of the calendar year forfeits such leave time.

D. Reimbursement for Unused Annual Leave

1. Upon leaving County employment, employees are paid for unused accumulated annual leave.
2. Employees who leave County staff to assume employment with other Orange County government entities with which the County has a reciprocal leave agreement, may transfer any accrued leave to their new employer rather than be paid under the provisions of this policy.

E. Negative Annual Leave Balances

Negative annual leave balances are only permitted pursuant to the Advance Leave provisions in Section I (B) 3 of this policy.

## **SECTION II**

**SCOPE:** Section II of this policy applies to all regular full-time employees categorized as Hybrid under the Virginia Retirement System (VRS), including employees of Constitutional Officers subject to the County's personnel policies.

**PROVISIONS:**

A. Accrual of Paid Time Off (PTO)

1. Paid Time Off (PTO) is accrued on a bi-weekly basis beginning with the first day of the pay period. At the discretion of the County Administrator, PTO may be accrued during a partial pay period, or during any pay period in which the employee has a period of absence without pay. The rate at which the PTO is accrued is dependent upon the length of the employee's service with the County and the length of the standard work week. The accrual schedule is shown in the table of Annual Accrual Rates and Limits on Page 4 of this policy.

2. Employees who join the County staff from Orange County government entities with which the County Administrator has a reciprocal leave agreement, may be permitted to transfer in any unused annual leave or PTO they earned with their previous employer, adjusted to reflect any differences in accrual policy.
3. At the discretion of the County Administrator, in the case of transfer from one local government agency to Orange County, the total length of service of the employee from the other local government agency may be used as a factor to determine the employee's rate of accrual of PTO with Orange County. This must be negotiated and established at the time of employment. For purposes of this policy, a qualifying local government agency must be one recognized by the Virginia Retirement System (VRS).

**Annual Accrual Rates and Limits**

<b>Standard Work Week/Month</b>	<b>&lt; 5 Years</b>	<b>5-9 Years</b>	<b>10-19 Years</b>	<b>≥ 20 Years</b>
40 hours/171 hours	120 hours	144 hours	168 hours	184 hours
212 hours	159 hours	191 hours	223 hours	244 hours
Maximum Accrual – 40 hours/171 hours	288 hours	358 hours	436 hours	456 hours
Maximum Accrual – 212 hours	382 hours	475 hours	578 hours	605 hours

**B. Use of Paid Time Off (PTO)**

1. Paid Time Off (PTO) may be used for any reason the employee chooses; however, the employee must obtain approval from the immediate supervisor for the desired time off. It is the County policy that all employees are encouraged to use all PTO in the year in which it is accrued.
2. The request to take PTO should be made as far in advance as possible. The employee must complete a Request for Leave Form (Form 5.1.1) and obtain approval of the Department Director or Constitutional Officer. Once the leave is taken, the form should be submitted with the employee's work record.
3. At the discretion of the Department Director or Constitutional Officer, and after approval by the County Administrator, PTO may be "advanced" up to the amount that will be accrued in the calendar year. An employee who terminates or is terminated from County employment before advanced leave is fully accrued will be obligated to reimburse the County for the amount of the leave deficit. Employees will execute an Advance Leave Repayment Agreement Form (Form 5.1.2) acknowledging their responsibility to repay any leave deficit prior to incurring such a deficit.

4. An employee may be scheduled to work a number of hours during a pay period that would result in the employee being paid overtime compensation or given compensatory time. In such an event, the employee shall be paid for all PTO taken during hours the employee would have normally been scheduled to work, even if doing so results in the employee being paid overtime compensation or given compensatory time for time that the employee was taking leave.

C. Maximum Accrual of Paid Time Off (PTO)

1. After the County has reported all leave used through December of each year, employees may not have more than the maximum PTO allowed for their years of service as defined by the table of Annual Accrual Rates and Limits on Page 4 of this policy.
2. It is the responsibility of the Department Director and employee to manage leave balances.
3. An employee who does not use leave balances in excess of the maximum accrual allowed by the end of the calendar year forfeits such leave time.

D. Reimbursement for Unused Paid Time Off (PTO)

1. Upon leaving County employment, employees are paid for unused accumulated leave.
2. Employees who leave the Orange County staff to assume employment with other Orange County government entities with which the County has a reciprocal leave agreement, may transfer any accrued leave to their new employer rather than be paid under the provisions of this policy.

E. Negative Paid Time Off (PTO) Balances

Negative PTO balances are only permitted pursuant to the Advance Leave provisions in Section II (B) 3 of this policy.