

Are Your Employee Leave Policies Ready for the Busy Summer Vacation Season?

by Christina M. Michelson on June 22, 2012

The summer months are the most popular time for employee vacations. With this in mind, it is important for New York and New Jersey employers to review their employee leave policies before the summer heats up.

While an employer may establish a vacation policy by custom and practice, a written policy is the best way to avoid potential liability. It makes sure employees are fully aware of the specific details of the employer's vacation policy and procedures.

It is important for a written vacation policy to specify the following:

- **Vacation Time Accrual:** Most employers prefer for vacation time to be earned (or accrued) over time as opposed to allotted all at once. This generally makes it less costly if the employee leaves the company or is terminated mid-year because the employer will only have to pay the employee for vacation time accrued to date.
- **Anniversary or Calendar Year:** To avoid confusion, employers should indicate whether the policy uses a calendar or anniversary year system.
- **Unused vacation time:** Vacation policies should clearly state rules regarding whether earned but unused vacation can be carried over into the next year.
- **Scheduling Vacation:** The policy should specify the process for requesting vacation. To ensure there is a record of all vacation requests, it is a good idea to ask employees to request time off in writing.
- **Conflict Resolution Procedures:** The policy should also set out how scheduling conflicts will be resolved. For example, is priority given to the first person to request vacation or to the employee with greater seniority?

If you would like to change or update your company's vacation policies, we recommend consulting with a member of Scarinci Hollenbeck's Labor and Employment Group.