

DEPARTMENT OF INDUSTRIAL RELATIONS

## DIVISION OF LABOR STANDARDS ENFORCEMENT

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ADDRESS REPLY TO:  
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IN REPLY REFER TO:

March 11, 1987

Ms. Susie deMandel  
Personnel Assistant  
Mid-State Bank  
1026 Grand Avenue  
Arroyo Grande, CA 93420

Dear Ms. deMandel:

This is in reply to your questions concerning vacation pay and a follow up of our recent telephone conversation.

The 3 days (24 hours) of the earned sick leave that may be used for "personal compelling business" would be considered as vacation and subject to the Suastez decision and our Division's Interpretive Bulletin No. 86-3.

It is my understanding that the 3 days in question would not be available for conversion to use as "personal compelling business reasons" until the full 80 hours have been earned. If this is correct, the first 77 hours would be considered as sick leave and not subject to vacation pay usage.

If any employee terminates with 80 or more sick leave hours, he/she would be entitled to 3 days vacation pay in accordance with the Suastez decision.

I hope this is responsive to your questions; if not, please let me know.

Very truly yours,

  
Albert J. Reyff  
Chief Deputy Labor Commissioner

AJR:sw

1987.03.11