

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

SICK LEAVE

All full-time College District personnel shall earn sick leave as follows:

1. All employees shall receive one day of sick leave for each month of their annual employment contract.
2. All employees may accumulate a maximum of 90 days (720 hours) of sick leave.

One day of sick leave shall equal eight hours. Sick leave may be used for the illness of the employee or the illness or death of a member of the employee's immediate family (father, mother, brother, sister, son, daughter, husband, or wife). A maximum of three days per year may be used for personal leave.

Persons employed less than one-half time shall not receive sick leave.

When an employee's use of sick leave exceeds three consecutive days, the immediate supervisor shall require that the employee present a statement from a physician or health clinic verifying the illness or condition that caused the employee's extended absence.

If an employee has established a questionable pattern of absences, the immediate supervisor may require that the employee present a statement from a physician or health clinic after a single day's absence.

BUYBACK AT
RETIREMENT

Upon retirement after 20 years or more of service, full-time staff members shall earn one month's pay for 30 days or more of unused sick leave or one month's pay less the number of days that have been used for their sick leave on a prorated basis.

Upon retirement after ten years of service, full-time staff members shall earn 75 percent of one month's salary for 30 or more days of unused sick leave or a prorated portion of the unused days of sick leave.

In the case of death of a College District employee, the employee's beneficiary shall receive the payment of accrued sick leave on the same basis as the retiring employee.

BEREAVEMENT LEAVE

All employees shall receive 0.333 days of bereavement leave for each month of their annual employment contract in addition to sick leave. Any additional days shall be counted against personal leave. Unused days of bereavement leave shall not be cumulative.

SICK LEAVE BANK

The purpose of the sick leave bank is to provide additional paid sick leave days to members of the bank in the event of a serious health condition of the employee that would necessitate a pro-

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

longed absence from work and could result in a substantial loss of income because the employee has exhausted all paid leave.

A serious health condition under this provision shall be the same as this term is defined in the federal regulations of the Family and Medical Leave Act (FMLA). [Also see QUALIFYING REASONS FOR LEAVE at DECA(LEGAL)]

MEMBERSHIP
ELIGIBILITY

The sick leave bank shall be established by deducting a minimum of eight hours of local sick leave per enrolled employee at the beginning of the academic year. An employee may contribute up to a maximum of 24 hours annually to the sick leave bank. All leave donated to the sick leave bank shall be deducted from the contributing employee's leave balance.

A full-time employee who is eligible for College District benefits and who has been continuously employed by the College District for 12 months shall be eligible to enroll and participate in the sick leave bank. The deduction shall continue annually until the employee directs otherwise in writing or there is a change in College District policy. If an employee chooses to terminate his or her enrollment in and contribution to the sick leave bank, access to the bank by that employee shall be limited to the number of hours contributed by the employee.

ADMINISTRATOR

The bank shall be administered by the human resources coordinator.

WITHDRAWAL OF
DAYS FROM BANK

An employee may apply for use of the sick leave bank when he or she has exhausted all accumulated sick leave, vacation, and compensatory time. To qualify for the sick leave bank, the applicant shall provide the following information to the human resources coordinator:

1. A statement requesting authorization to withdraw days from the sick leave bank, including the date the leave would start.
2. To continue to be eligible, a doctor's statement indicating the current status of the illness must be provided at 30-day intervals.

The College President shall review the information and determine when an applicant's illness or disability qualifies for use of days from the bank and the number of days that the applicant may use. The College President's notice to an applicant shall specify the number of days granted. An approved applicant shall be compensated at the employee's regular rate of pay for no more than 720 hours (90 days) during the individual's period of employment with the College District.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

	<p>Days from the sick leave bank shall apply to workers' compensation as set out in DEC(LOCAL).</p> <p>Any unused time shall be returned to the sick leave bank.</p>
MISUSE OF SICK LEAVE BANK	<p>An employee who misrepresents his or her condition, provides fraudulent information, or continues to withdraw days from the sick leave bank when he or she is able to return to duty shall be subject to disciplinary action, up to and including termination.</p>
APPEALS	<p>All decisions regarding the sick leave bank may be appealed according to the procedures at DGBA(LOCAL), beginning at Level Four.</p>
LEAVE OF ABSENCE	<p>An instructor may request a leave of absence by presenting a letter to the administration and the Board requesting a leave of absence without pay. After Board consideration and the administration's recommendation, the faculty member may receive a leave of absence. A leave of absence granted by the College District shall guarantee a faculty member a position upon his or her return, and the leave of absence shall be of benefit to both the faculty member and the College District. The instructor must agree to return at the end of the leave time.</p>
PREGNANCY	<p>Disabilities caused or contributed to by pregnancy, childbirth, or related medical conditions, for all job-related purposes, shall be treated the same as disabilities caused or contributed to by other medical conditions under any health or disability insurance or sick leave plan available in connection with employment.</p>
JURY DUTY	<p>Employees of the College District shall be granted leave time for the time required to serve on ordered jury duty.</p>
FAMILY AND MEDICAL LEAVE TWELVE-MONTH PERIOD	<p>For purposes of an employee's entitlement to FMLA, the 12-month period shall begin on the first duty day of the academic year.</p>
COMBINED LEAVE FOR SPOUSES	<p>If both spouses are employed by the College District, the College District shall limit FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition, to a combined total of 12 weeks. The College District shall limit military caregiver leave to a combined total of 26 weeks. [See DECA(LEGAL)]</p>
INTERMITTENT OR REDUCED SCHEDULE LEAVE	<p>The College District shall not permit use of intermittent or reduced schedule FMLA leave for the care of a newborn child or for the adoption or placement of a child with the employee. [See DECA(LEGAL) for use of intermittent or reduced schedule leave due to a medical necessity.]</p>

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

CERTIFICATION OF LEAVE	If an employee requests leave, the employee shall provide certification, as required by FMLA regulations, of the need for leave. [See DECA(LLEGAL)]
FITNESS-FOR-DUTY CERTIFICATION	If an employee takes FMLA leave due to the employee's own serious health condition, the employee shall provide, before resuming work, a fitness-for-duty certification. If the College District will require certification of the employee's ability to perform essential job functions, the College District shall provide a list of essential job functions to the employee with the FMLA designation notice.
FAILURE TO RETURN	If, at the expiration of FMLA leave, the employee is able to return to work but chooses not to do so, the College District may require reimbursement of premiums paid by the College District during the leave. [See DECA(LLEGAL), RECOVERY OF BENEFIT COST]
MEDICAL RELEASE	The employee's request for reinstatement shall be accompanied by medical certification of the employee's ability to perform essential job functions.
FAILURE TO RETURN	If, at the expiration of the family and medical leave, the employee is able to return to work but chooses not to do so, the College District shall require reimbursement of the employee benefits contribution made by the College District during the period in which such leave was taken as unpaid leave.
ABSENCE BEYOND FMLA-ELIGIBLE LEAVE	<p>An FMLA-eligible employee who has exhausted all paid and FMLA leave shall be entitled to receive up to a maximum of 600 additional hours of unpaid leave (excluding employer-paid benefits), provided that the employee continues to have a "serious health condition" as defined in DEC(LLEGAL). Leave under this provision shall not be available to care for one's child or other family member. Employees seeking leave under this provision are subject to all rules and procedures in this policy that pertain to the taking of leave for one's own serious health condition, including but not limited to, the rules and procedures pertaining to notice, medical certification, recertification, return to work, failure to return from leave, and job restoration.</p> <p>At the end of this period, if the employee does not return from the unpaid leave, it shall be deemed that the employee has resigned from the position, and the position shall be eligible for advertisement for replacement or elimination.</p>
WORKERS' COMPENSATION	<p>An employee eligible for workers' compensation wage benefits shall indicate whether he or she chooses to:</p> <ol style="list-style-type: none">1. Receive workers' compensation wage benefits; or

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

2. Use available paid leave. Workers' compensation wage benefits shall begin when:
 - a. Paid leave is exhausted;
 - b. The employee elects to discontinue use of paid leave; or
 - c. Leave payments are less than the employee's pre-injury average weekly wage.

EDUCATIONAL LEAVE

DEFINITION

Educational leave is a leave of absence during an employee's regular duties and schedule for the purpose of obtaining training that will enhance said employee's professional or educational enhancement.

ELIGIBILITY

Educational leave shall be available to all full-time non-faculty employees. Each employee shall submit a request for educational leave to his or her immediate supervisor.

PURPOSE

Educational leave may be approved for an employee to remain current in his or her professional field; to obtain an associate's, bachelor's, master's, or doctoral degree; to obtain special training or refresher trainings on key skills that are needed for the employee's occupation; or to obtain knowledge that will increase the professional capacity of the employee and/or the institution.

The trainings that may be approved for the purposes of education leave shall be continuing education courses or special trainings offered by an accredited school or college, federal agency, or other recognized professional groups or sponsors.

DURATION

All full-time employees, with the exception of full-time faculty members, shall be afforded the opportunity to adjust their regular work schedules to allow for three hours per week of educational leave per academic year. Efforts shall be made to register for classes or trainings outside the employee's regular work schedule. There shall be no carryover for unused hours. In addition, unused hours shall not result in any type of payout. Additional courses or trainings may be taken by the employee via the Internet and during times that are outside of the employee's work schedule.

APPROVAL

A request for educational leave form shall be submitted to the employee's immediate supervisor at least two weeks prior to the first day of the training or course. This shall allow the supervisor time to make the proper arrangements for the absence of the employee and to consider the workload of the department. The supervisor shall provide the employee with a decision on the approval of the request at least one week prior to the first day of the training or course. Supervisors shall complete the "Reasons Denied" section of the request for educational leave form in the event the request is

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

not approved. Upon approval, the employee shall make arrangements to make up the missed hours of work. The employee shall submit a receipt or other form of documentation to show the completed registration for the course or training and to show completion of the course or training. The form and supporting documentation shall be stored in the employee's personnel file. The hours used for leave shall be reported on the employee's absence report for each month. The hours and a description of the courses or trainings shall also be reported on the employee's professional development planner. In coordination with the professional development officer, the courses and trainings shall be recorded as part of the employee's professional development plan and evaluation.

**COMMUNITY SERVICE
LEAVE**

Through its programs and services, the College District strives to support the needs of its surrounding communities. The College District further realizes the importance of community service and therefore encourages its employees to be actively involved in community events and with community organizations. To enhance the involvement of its employees with the broader community, the College District endorses the following community service leave provisions.

These provisions outline the guidelines for full-time employees at the College District to take time away from work in order to participate in community service projects or events. A maximum of 16 hours is permitted each year with no carryover for unused hours. In addition, there shall be no payout to employees who do not use the 16 hours. The leave may be used for the services outlined below.

USE OF LEAVE

Paid leave is not granted to those individuals participating in community service activities outside of their work schedules. The types of services that qualify for this leave shall be: tutoring and mentoring in schools; blood, bone marrow, and organ donation; any activity associated with a nonprofit organization; and assisting and responding to emergency situations.

REPORTING OF CSL
LEAVE

An employee shall complete the community service leave request form found at DEC(EXHIBIT). The hours used for this leave shall be reported on the employee's absence report for that month.