

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Jury Duty (All Personnel)

An employee shall be granted, with regular pay, whatever time is required for serving on jury duty.

Bereavement Leave

An employee shall be eligible for a maximum of three days of paid bereavement leave arising from a death in the immediate family of the employee or the employee's spouse. For purposes of this provision, "immediate family" shall include the parent, wife, husband, child, brother, sister, grandmother, grandfather, son-in-law, daughter-in-law, or another member of the immediate household.

Bad Weather Days (All Personnel)

When severe weather forces the College District to close, employees shall receive regular pay based upon the hours the employees were scheduled to work.

Personal Business Leave (Full-Time)

Permanent employees of the College District employed at least half-time shall be allowed two days per calendar year for personal leave to allow for activities that cannot be accomplished outside the normal work schedule. Personal leave shall not be cumulative from one calendar year to the next. Personal leave shall require the advance approval of the employee's immediate supervisor and should be scheduled in advance.

Leave Without Pay

The College District shall allow a nine-month contract employee who does not accrue vacation to take a leave of absence without pay when the employee requires leave in excess of the two-day personal business allowance. Such leave without pay shall only be granted for a maximum of three days and when an acceptable replacement is provided as a substitute for the employee as approved by the supervisor.

Approved leave without pay shall not be granted in successive years. The intent of this policy is to allow an employee necessary leave in the rare instance when nonrecurring significant events occur that require an employee to be absent from regularly assigned duties in excess of leave allowed for personal business. Permission shall be obtained from the College President on a case-by-case basis.

Sick Leave

Permanent employees of the College District employed at least half-time shall accrue sick leave at the end of each pay period.

Rate of Accrual

Full-time employees whose regular workweek is 35 hours per week shall accrue 70 hours of sick leave per year, prorated for each pay period of active employment. Full-time employees whose regular workweek is 40 hours per week shall accrue 80 hours of sick leave per year, prorated for each pay period of active employment.

*Accrual
Maximums*

Full-time instructional personnel shall accrue a maximum of ~~360~~ 480 hours. Full-time non-instructional personnel may accrue a

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maximum of 420 hours for those employees whose regular workweek is 35 hours per week, and 480 hours for those employees whose regular workweek is 40 hours per week.

Utilization

An employee may use sick leave when he or she (1) is incapacitated for the performance of duties by physical or mental illness, injury, pregnancy, or childbirth; (2) receives medical, dental, or optical examination or treatment; or (3) would, as determined by the health authorities having jurisdiction or by a health-care provider, jeopardize the health of others by his or her presence on the job because of exposure to a communicable disease.

Sick leave may also be utilized to (1) provide care for a family member who is incapacitated as a result of physical or mental illness, injury, pregnancy, or childbirth; (2) provide care for a family member as a result of medical, dental, or optical examination or treatment; or (3) make **service or burial** arrangements necessitated by the death of a family member or attend the funeral of a family member.

For purposes of this policy, "family member" is defined as spouse, and parents thereof; children, including adopted children, and spouses thereof; parents; brothers and sisters, and spouses thereof; and other members of the immediate household.

An employee's supervisor, or other superordinate personnel, may require a physician's statement before authorizing sick leave.

Effect of
Termination on Sick
Leave

Payment for unutilized sick leave shall not be made upon employee termination or voluntary separation.

Medical Certification

If an employee is absent for five or more continuous days due to his or her own personal illness, he or she must provide a fitness-for-duty certification before he or she can return to work.

Development Leave

A faculty member [see definition at DEC(LEGAL) Development Leaves of Absence] may be granted faculty development leave for study, research, writing, field observations, or other suitable purpose. The leave shall be for one academic year at one-half of the faculty member's regular salary or for one-half academic year at full regular salary, unless the faculty member has held an administrative position at the College District for more than four years. In that case, the Board may grant development leave at the faculty member's full, regular salary for one year.

Eligibility

To qualify for development leave, a faculty member must serve at least three consecutive academic years performing full-time academic duty as an instructor or as an assistant, associate, or full

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professor, or an equivalent rank. The work need not include teaching. The applicant must also agree to return to the College District following the conclusion of the development leave to serve for a period of time equal to the amount of time the faculty member received for development leave and if not, to repay the College District for any benefits paid to or on behalf of the faculty member during the leave period.

Application

To be granted development leave for the subsequent academic year, a faculty member must apply to the College President by March 1 on a signed and dated form created by the administration. The application shall contain:

1. The requested effective date and duration of leave.
2. A description of the specific purpose for which the leave is requested.
3. An explanation as to how the leave is consistent with the mission and purpose of the College District and the benefit of the leave to the College District.
4. An assurance that the faculty member intends to return to the College District following the completion of the development leave to serve for a period of time equal to the amount of time the faculty member received for development leave, if approved, and that, if the faculty member does not return, the employee shall repay the College District for any benefits paid to or on behalf of the employee during the leave period.
5. Any other information deemed appropriate by the College President.

Approval Procedure

A development leave committee shall be appointed annually by the vice president of instruction on a date determined by the College President to be no later than the application deadline. The committee shall be composed of at least three faculty members and the president of the faculty association. The chair shall be responsible for scheduling and presiding over each meeting of the committee.

After reviewing the applications for development leave, the committee chair shall forward the committee's recommendation to the College President. After review of the committee's recommendation, the College President shall make a recommendation as to which applications should be granted for consideration at a Board meeting to occur before the end of the spring semester. No more than six percent of the College District faculty members may be on development leave at any one time.

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	<p>The College President shall inform the applicants of the final determination by the Board.</p>
Outside Employment	<p>A faculty member granted development leave is prohibited from accepting employment with another employer without permission of the Board.</p>
Report	<p>Upon returning from development leave, the faculty member must report to the Board in writing regarding whether the purpose of the leave was fulfilled with a description regarding the manner in which it was fulfilled or if it was not fulfilled, the reasons why the leave was not fulfilled.</p>
Federal Family and Medical Leave	<p>An employee who qualifies for federal family and medical leave shall be entitled to a total of 12 workweeks of leave during the 12-month period measured forward from the date the employee's family and medical leave begins.</p>
Twelve-Month Period	<p>For purposes of an employee's entitlement to Family and Medical Leave Act (FMLA) leave, the 12-month period shall be measured forward from the date an individual employee's first FMLA leave begins.</p>
Notice	<p>Leave allowed under the FMLA shall be unpaid leave limited to a total of 12 workweeks during a 12-month period. Although FMLA leave need not be paid as a general proposition, both the College District and the eligible employee have the right to substitute paid leave under the College District's personnel policies and benefit plan.</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>An employee may take leave intermittently or on a reduced leave schedule when medically necessary to care for a spouse, parent, or child or to receive planned medical treatment for himself or herself.</p> <p>If an employee requests leave to care for a spouse, parent, or child or because of his or her own serious health condition that is foreseeable based on planned medical treatment, the College District may require the employee to transfer temporarily to an available alternative position offered by the College District for which the employee is qualified and that has equivalent pay and benefits and better accommodates recurring periods of leave than the employee's regular employment position.</p>

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[See DECA(LEGAL) for use of intermittent or reduced schedule leave due to a medical necessity.]

Certification of
Leave

If an employee requests leave, the employee shall provide certification, as required by FMLA regulations, of the need for leave.

The College District shall require a certification issued by the health-care provider of the spouse, child, parent, or employee that the employee is needed to care for the spouse, child, or parent or, in case of leave for the employee's condition, that the employee is unable to perform the functions of his or her position. The certification shall include the date on which the serious health condition began, the probable duration of the condition, and the appropriate medical facts within the provider's knowledge regarding the condition. The employee shall, in a timely manner, provide a copy of the certification to the College District.

[See DECA(LEGAL)]

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(LEGAL), Recovery of Benefit Cost]

Vacation Leave

Rate of Accrual

Permanent, 12-month employees of the College District shall accrue vacation leave annually at the following rates, prorated for each pay period worked:

Total Years of College District Employment	Regular Workweek	
	35 Hours	40 Hours
Less than 15	70	80
15 or more	105	120

Each employee's vacation leave shall accrue at the end of each pay period in which that individual is employed.

Upon completion of their 15th year of employment with the College District, personnel shall accrue vacation leave at the higher rate indicated above beginning with the first month of their 16th year.

Utilization and
Maximum Accrual

Earned vacation shall be taken at a time mutually acceptable to the employee and the employee's immediate supervisor, and should

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be scheduled in consideration of the work requirements of the department. Vacation leave shall require the advance approval of the employee's immediate supervisor and should be scheduled as far in advance as possible.

The maximum accrual amount for all full-time employees (TRS definition) shall be three standard workweeks.

Effect of
Termination on
Vacation Leave

Upon voluntary separation, an employee may be paid unutilized vacation leave if adequate notice of termination is provided. Adequate notice shall be two weeks.