

LEAVES

The following procedures apply to employees who are not covered by a collective bargaining agreement or a specific employment contract.

All leaves must be taken in increments of no less than one hour, except that confidential employees may take leave in increments of no less than one-quarter hour.

At the end of each month, employees shall submit a report to their supervisor, indicating the number of days and hours taken for all leaves.

Annual Leave: Annual leave is provided to benefit the employee and to best serve the needs of the district. While the district will make a reasonable effort to approve vacation requests that are convenient for the employee, it reserves the right to disapprove requests based on administrative needs. Furthermore, the district reserves the right to require employees to use accrued vacation, including time accumulated from prior years, at any time during the year, for the administrative or economic convenience of the district. The district will, whenever possible, give affected employees prior notice that it is exercising this right. Employees shall submit requests for annual leave to their immediate supervisor.

Employees who render twelve months of full and regular service to the district during each academic year, shall earn twenty days annual vacation with pay, exclusive of holidays, as defined in Education Code Sections 79020 and 79021, which time shall be accrued on a month-to-month basis. Vacation time may be accumulated from year to year, up to a maximum of forty days.

Employees on a less-than-twelve-month contract are entitled to vacation on a pro rata basis.

No annual leave will be earned by the employee at any time when the employee has already accumulated forty days of annual leave. Thereafter, annual leave shall be earned only when accumulated annual leave time is less than forty days.

Personal Use Day: Two days' leave with pay will be granted for personal use each year. Personal Use leave does not carry forward to the next fiscal year if unused during the fiscal year in which it accrues.

Sick Leave:

Full-time twelve-month employees will be entitled to twelve (12) days leave of absence, for illness or injury with full pay, for every full fiscal year of service. (Education Code 88191)

Full-time employees with less than twelve months are entitled to such a proportion of twelve (12) days leave of absence, for illness or injury with pay, as the number of months they are employed bears to twelve months. (Education Code 88191)

Less than full-time employees are entitled for a full fiscal year of service to such a proportion of twelve (12) days leave of absence, for illness or injury with pay, as the number of days they are employed per week bears to five days. (Education Code 88191)

Employees are entitled to extended-illness leave benefits as authorized in Education Code Sections 88196 and 88196.5.

A new employee will not be eligible to take more than one day of sick leave for each month worked up to six (6) months, until the first day of the calendar month after completion of six (6) months of service with the district. (Education Code 88191)

Employees will verify an absence when requested by the Director of Human Resources. A statement from a physician is required if the absence exceeds a period of five (5) working days.

Absence will be reported to the immediate supervisor no later than one hour after the usual reporting time if at all possible. Employees will keep their supervisor informed daily as to when they expect to return. If the employee provides the district with written notification from a physician that he or she will be absent longer than five (5) working days, the employee need not report daily until after the initially reported duration of absences has expired. (Education Code 88191)

Unused sick leave is accumulated from year to year without limitation. (Education Code 88191)

Sick leave accrued while one is employed at another school district prior to the break of previous service may be transferred in total, providing that the employee was employed for a period of one calendar year or more in the district where employment was terminated, that the employee terminates such employment for the sole purpose of accepting a position in another school district, and that the employee accepts the new position within thirty (30) days of termination of his or her former employment. Payroll and/or Human Resources personnel will assist in the transfer. (Education Code 88202)

Family Medical Leave: Employees who have one year of continuous service are entitled to up to twelve weeks of family medical leave of absence in a one-year period for:

- a. Birth of the employee's child or placement of a child with the employee for adoption or for foster care;
- b. To care for a parent, child, spouse, or domestic partner with a serious health condition, or;
- c. For the employee's own serious health condition, including pregnancy and prenatal care.

Employees who receive district-paid health insurance will continue to receive it during periods of leave. Eligibility for leave and requirements for advance notification to the district when a leave is necessary are controlled by the provisions of federal and state law. In the event of

conflict between the controlling statutes and/or the provisions of this procedure, the provision which provides the greater benefit to the employee shall prevail. Family medical leave will run concurrently with sick or annual leave used. The employee is required to use all accumulated paid leave available before going into unpaid-leave status during the 12-week family-medical-leave period, including medical leave if the leave is being requested due to the employee's own illness. If the employee fails to return from leave or fails to complete a period of employment following his or her return that is at least as long as the duration of the leave, the district will require the employee to reimburse the district for the premiums that were paid.

Personal Necessity: Up to seven (7) days of absence for illness may be used and shall be charged to accumulated or extended sick leave for 1) death of immediate family member beyond that available on bereavement leave, 2) accident to self or family member (Education Code 87784), or 3) court appearance as party or witness (Education Code 87035). An additional six (6) days of absence for illness may be used to attend to an illness of a child, stepchild, parent, stepparent, domestic partner, or spouse of the employee.

Temporary Disability Leave (Maternity): Employees of the district shall be provided leave of absence from duty when absence is caused by pregnancy, miscarriage, childbirth, and recovery therefrom. The length of the leave of absence, including the date on which the leave shall commence and the date on which the employee shall resume duties, shall be determined by the employee and the employee's medical advisor.

Disabilities caused or contributed to by pregnancy, miscarriage, childbirth, and recovery therefrom are, for all job-related purposes, temporary disabilities and shall be treated as such under any health or temporary-disability insurance or sick-leave plan available in connection with employment by the district.

The employee shall provide the Human Resources Office with a statement from the attending medical advisor verifying the need for such disability leave prior to the requested leave date. An extension of such leave must be supported by a statement of need by a physician. The employee shall return to work following a statement of release by said physician.

Bereavement: Necessary leave of absence, not to exceed three days, or five days if out-of-state travel or travel in excess of 350 miles one way is required, may be granted on account of the death of any member of the immediate family. Members of the immediate family include the mother, father, grandmother, grandfather, or a grandchild of the employee or of the spouse or domestic partner of the employee; and the mother's or father's spouse or domestic partner, spouse or domestic partner, son, son-in-law, daughter, daughter-in-law, brother, or sister of the employee; and the spouse or domestic partner's son, son-in-law, daughter, daughter-in-law, brother, or sister; or any person living in the immediate household of the employee (Education Code 87788, 88194).

Jury Duty: Employees called for jury duty or to serve as a witness when subpoenaed shall receive their daily or monthly salary during the period of service, less such remuneration as they shall receive for their service. (Education Code 87035)

Personal Leave: Personal leave of absence without pay or benefits may be granted by the Board of Trustees for 1) education, academic advancement, or study; 2) personal reasons; or 3) travel. (Education Codes 88190, 88198)

Reference: Education Code Sections 87763 et seq.; 88190 et seq.; Labor Code Section 234; and above citations.

1/4/05

Formerly Administrative Regulation # 313.01: "Administrator's Vacation;" Adopted by Board of Trustees: January 11, 1993

Formerly Administrative Regulation #435.01: "Classified Manager's Vacation;" Adopted by Board of Trustees: January 11, 1993; Amended: October 4, 1993

Formerly Administrative Regulation #438.01; "Confidential Employees' Vacation;" Adopted by Board of Trustees: January 11, 1993; Amended: October 4, 1993