

ARTICLE 7

LEAVES

7.1 Bereavement Leave

- 7.1.1 Unit members may be granted, without loss of salary or other benefits, leave of absence not to exceed three (3) regularly assigned working days, five (5) regularly assigned working days if out-of-state travel is required or exceed one (1) way, two hundred (200) land miles, calculated from the Rancho Santiago Community College District, per occurrence on account of death of any member of the member's immediate family.
- 7.1.2 "Immediate family" will be interpreted to mean blood, adopted, step, foster relations limited to the mother, father, grandmother, grandfather, or grandchild of the unit member, or the spouse of the unit member, and the spouse, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister or sister-in-law of the unit member, or any person living in the immediate household of the unit member, excluding strictly landlord/tenant relationships.

7.2 Judicial Leave

- 7.2.1 When called for jury duty or subpoenaed as a witness in the manner provided by law, or as a litigant on behalf of the District, members shall be granted a leave of absence without loss of pay for the time the unit member is required to perform jury duty or act as a witness during the unit member's regularly assigned working hours.
- 7.2.2 Request for jury duty or witness leave shall be made by presenting as soon as possible the official court summons to the member's immediate supervisor and to the district payroll office through regular administrative channels.
- 7.2.3 Reimbursement to the District of any monies earned as a juror, or witness, except mileage, shall be made by the member.
- 7.2.4 A member called for jury duty shall not be encouraged in any way to seek exemption from such duty nor shall he/she be discriminated against in any way for not seeking such exemption.
- 7.2.5 Unit members are required to return to work during any day in which jury services are not required.
- 7.2.6 The District may require verification of jury duty or witness time prior to, or subsequent to, providing compensation.

7.3 Personal Necessity Leave

- 7.3.1 A unit member may be granted a maximum six (6) days' leave of absence in any school year without loss of pay, in cases of personal necessity. Such leaves shall be deducted from the unit member's accumulated sick leave. An Employee Absence Card must be filed.
- 7.3.2 Whenever possible, personal necessity leave should be requested at least five (5) business days in advance and approved by the appropriate administrator
- 7.3.3 Personal necessity leave may not be used for any recreational use or any use related to present or prospective employment, or appearance in court as a witness or litigant in an action adverse to the District. Personal necessity leave must be used for matters which cannot be accomplished other than during the unit member's regular working hours, or, deferred to a more convenient date or time to accommodate the regular work schedule.
- 7.3.4 Personal necessity leave can be used for matters of compelling personal importance or family business which cannot be accomplished other than during the unit member's regular assigned working hours, or deferred to a more convenient date or time to accommodate the regular work schedule.

7.4 Educational Conference Leave/In-Service Training/Professional Growth

- 7.4.1 Upon application, the Chancellor or designee may grant to unit members leave with pay for educational conferences, in-service training, or professional growth which will improve district operations or the ability of the unit member to more effectively perform his/her duties. In determining which requests for conference leave will be granted, the district will consider the following:
 - a. Applicability of the conference to the unit member's assignment.
 - b. Value of the conference to the district
 - c. Time and date of receipt of the request for each conference.

7.5 Association Leave

- 7.5.1 Association officers or their designee shall be entitled to five (5) days of unpaid leave to utilize for local, state, or national conferences or conducting other business pertinent to association affairs. These representatives shall be excused from assigned duties upon at least two (2) days' advance notification to the District by the association president.

7.6 Industrial Accident or Illness Leave

- 7.6.1 All unit members shall receive sixty (60) days' leave with pay in any one fiscal year for an industrial accident or illness. An industrial accident or illness is defined as one where the unit member becomes ill or is injured while he/she is serving the District, and, the accident or illness is reported to the District's Self-Insurance Program in accordance with District regulations, and, the District Self-Insurance Program accepts responsibility for the treatment of the unit member.
- 7.6.2 Industrial accident or illness leave will commence on the first (1st) day of absence. Allowable leave shall not be accumulative from year to year. When an industrial accident or illness occurs at a time when the full sixty (60) days will overlap into the next fiscal year, the unit member shall be entitled to only that amount remaining for the same illness or injury at the end of the fiscal year in which the injury or illness occurred.
- 7.6.3 Payment for wages lost on any day shall not, when added to an award granted the unit member under the worker's compensation laws of this state, exceed the normal wage for the day. Industrial accident leave will be reduced by one (1) day for each day of authorized absence regardless of a compensation award made under worker's compensation.
- 7.6.4 The industrial accident or illness leave of absence shall be used in lieu of entitlement acquired under Section 87786 of the State "Education Code." When entitlement to industrial accident or illness leave has been exhausted, entitlement to other sick leave will then be used; but if a unit member is receiving workers' compensation, he/she shall be entitled to use only so much of his/her accumulated or available sick leave, accumulated compensation time, vacation, or other available leave, which, when added to the workers' compensation award, will provide for a full day's wage or salary.
- 7.6.5 Periods of leave of absence, paid or unpaid, shall not be considered a break in service of the unit member.
- 7.6.6 During all paid leaves of absence, whether industrial accident leave as provided in this section, sick leave, or other available leave provided by law, or the action of the Board, the District, upon endorsement to the District of wage loss benefit checks received under workers' compensation laws of this state, shall issue the unit member appropriate warrants for any payment of wages or salary and shall deduct normal retirement and other authorized contributions. Reduction of entitlement to leave shall be made only in accordance with this section.
- 7.6.7 The District shall require certification by the attending physician that the unit member is medically able to return to and perform the duties of his/her position.
- 7.6.8 Any unit member receiving benefits provided in this section shall, during periods of injury or illness, remain within the State of California unless the District authorizes travel outside the state.

7.7 Sick Leave

- 7.7.1 Unit members shall accrue one hour of sick leave for every 17 hours of paid service throughout the entire fiscal year.
- 7.7.2 Pay for each hour of such absence shall be the same as the pay which would have been received had the unit member been in paid status during the day. Credit for leave of absence need not be accrued prior to taking such leave by the unit member, and such leave of absence may be taken at any time during the year.
- 7.7.3 If the member does not take the full amount of leave accrued in any year under this section, the amount not taken shall be accumulated from year to year.
- 7.7.4 All sick leave absence shall be reported on the Employee Absence Card to the immediate supervisor. District reserves the right to require medical verification for an absence extending beyond five (5) days.
- 7.7.5 Members must be in active employment to earn or use sick leave. Sick leave may be used only on those days when the member is required to report for duty but cannot do so because of illness or injury. A member who becomes ill or is injured on a flex day or the first day of class/assignment may utilize sick leave if he/she is able to immediately return to work and assume the assignment. Members who have an assignment, but due to illness or injury are unable to successfully begin the assignment, are not eligible for sick leave.

7.8 State Disability Insurance

- 7.8.1 Effective fall 2005, CEFA unit members shall participate in the State Disability Insurance Program. The district shall make required payroll deductions on behalf of all CEFA unit members.

7.9 Quarantine Leave

- 7.9.1 All unit members shall receive payment for scheduled teaching/counseling assignments for a period not to exceed thirty (30) days when quarantined by city or county health officers because of another's illness. Such quarantine must be verified by a physician or health officer.

7.10 Excused Absence With Pay

- 7.10.1 Administrators are authorized to excuse a unit member for an occasional absence up to a maximum of four (4) hours annually for a change in assignment, or, for

personal business of such a nature that it requires the presence of the member during his/her working day, and, such absence(s) is determined, in the sole discretion of management, in the best interests of the District.

7.11 Excused Absence Without Pay

7.11.1 When an hourly unit member declines a semester instructional assignment due to a maternity, paternity or adoption situation, the name of that unit member and the subject areas taught will be sent to all sites. The following semester, the unit member will be considered prior to recommending the appointment of any new unit members at a given site.

7.12 Family Leave

7.12.1 Unit members may be eligible for additional leave benefits as defined in the California Family Rights Act of 1991 and the Federal Family and Medical Leave Act of 1993.

Additional information and request forms are available in the District's Office of Human Resources.

7.13 Personal Absence

7.13.1 A request for personal absence without pay for less than a semester shall be submitted to the appropriate site administrator.

7.14 Catastrophic Leave

7.14.1 In the event of a catastrophic illness or injury, participating unit members who have exhausted all sick leave may request a donation of additional leave from the Catastrophic Leave Bank. All requests shall be subject to mutual approval by the District and CEFA.

7.14.2 Any application for Catastrophic Leave benefits must include medical verification that the unit member is unable to return to work and the duration of the unit member's disability.

7.14.3 The amount of Catastrophic Leave hours awarded to a unit member cannot exceed the unit member's current number of assigned hours per week multiplied by the number of weeks remaining in the current semester. No Catastrophic Leave benefits can be provided for a semester in which the unit member is unable to begin an assignment. Compensation for all Catastrophic Leave hours shall be fifty-percent (50%) of the unit member's hourly rate.

7.14.4 Unit members must donate in order to use the Catastrophic Leave bank. Unit members may donate a minimum of one (1) hour and a maximum of ten (10) hours of sick leave per year. Upon separation from the district, unit members

shall be allowed to donate unused sick leave to the bank. Unit Members shall be given the opportunity to contribute upon employment, and thereafter in May and November of each year. (See Human Resources for procedures). Nothing shall preclude CEFA from soliciting leave donations from unit members at any time during the college year if hours in the bank are insufficient to meet current requests.

- 7.14.5 Prior to returning to work, a unit member shall be required to present a doctor's statement stating the date the unit member is able to return to work.
- 7.15 Pursuant to Education Code 87784.5 a unit member may take up to 30 days of accrued paid leave in a fiscal year, less any days of personal necessity leave (authorized pursuant to Sections 87781.5 and 87784), in either of the following circumstances: (1) a biological parent may use leave pursuant to this section within the first year of his or infant's birth; or (2) A nonbiological parent may use leave pursuant to this section within the first year of legally adopting a child. Leave days authorized under this provision may be taken from an employee's existing sick leave and shall run concurrently with leaves authorized under the FMLA/CFRA. Nothing in this article implies that the District is obligated to offer the unit member an assignment for the semester following the use of this leave in order to continue the usage of this leave.