

METROPOLITAN COMMUNITY COLLEGE

DISTRICT PROCEDURE

3.25010 DP

LEAVES OF ABSENCE

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In accordance with board policy, employees will be granted leaves of absence when appropriate. Except where otherwise noted only full-time regular employees are eligible for leaves. Where possible, employees are encouraged to notify the college in writing as far in advance as possible of their intention to utilize leave time.

Types of Leave

- A. **Sick Leave:** Absence from work due to personal illness or medical appointments for the onset, treatment, or follow up of an illness or injury.

Sick leave will be granted as follows.

1. Full-time administrators and staff will accrue eight (8) hours per month for each completed month of employment.
2. Full-time faculty members will accrue seven (7) hours per month of full-time employment.
3. Part-time regular staff will accrue sick leave proportionate to the number of hours worked.
4. Part-time faculty teaching courses will be granted sick leave at the rate defined in the current schedule of salary and conditions. However, full-time employees will only accrue leave time based on their status as a full-time employee.
5. Flexible part-time will not accrue sick time. ( ) earn leave time, which may be utilized for any purpose agreed to by the supervisor and employee.

One regular work day of eligible sick leave may be utilized for well medical appointments with the employee's personal provider.

Sick leave accrued and not used will be accumulated from year to year without limit, except as otherwise noted. The college does not pay accrued, unused sick leave at the time of termination.

In consultation with the human resources department, certification from a health care provider may be required for an absence of more than three (3) days due to illness.

If the need for sick leave is foreseeable, an employee should provide the college at least thirty (30) days' notice of the impending absence. If the need for sick leave is not foreseeable, an employee should provide the college notice as soon as practical. Failure to provide the required health care certification may delay the employee's absence, if foreseeable, or render the absence unapproved, if unforeseeable. The college reserves the right to obtain a second medical opinion of the employee at the college's expense.

**B. Vacation Leave:** Accrual of vacation time is defined in the Schedule of Salary and Conditions. In order to utilize vacation time, employees must submit a request and receive an approval from their supervisor.

Vacation will not accrue beyond the maximum allowed..

Upon termination of employment, any accrued and unused vacation time will be paid to the employee.

**C. Childbirth/Child Adoption Leave:**

**Childbirth Leave:**

A leave of absence for up to twelve (12) weeks shall be granted for childbirth purposes in accordance with the provisions of the Family and Medical Leave Act during the time an employee is certified as disabled by their physician. The employee will need to charge the leave time to their accrued sick leave, if available. The balance of any childbirth leave not covered by sick leave may be charged to an employee's accrued vacation time if available, after which such leave shall be granted without pay.

**Child Adoption/Placement Leave:**

An eligible employee who adopts a child or has a child placed in his/her home for foster care shall be eligible for a leave of absence for up to twelve (12) weeks in accordance with the Family and Medical Leave Act. An employee taking such leave shall be allowed to charge up to six (6) weeks of leave time against the employee's accrued sick leave balance if the employee provides documentation that he/she will be the primary care giver for the child. Leave time requested beyond six (6) weeks will be charged to the employee's accrued vacation time, personal leave and/or be granted without pay.

Faculty members will be required to meet with the dean of instruction and work with the dean and the division chair to determine the course of action to be taken during the faculty member's leave to minimize the impact of the leave on students.

Leave for adoption or foster care may not be intermittent or reduced hours unless the supervisor and the appropriate district officer concur with the request.

If both parents work for the college, the maximum combined benefit for adoption is a total of twelve (12) weeks.

**D. Professional Leave:** Absence from work for advanced study, travel, governmental service, or other professional experience related to the field of teaching, counseling, library work, or community college administration which will improve the employee's professional competence.

1. **Eligibility:** When considering approval the needs of the district and the need for the employee's continued presence at work will be taken into consideration. Upon recommendation of the chancellor, the board may grant full-time faculty leave for professional purposes.
2. **Length of Leave:** The length of an approved professional leave shall be at the discretion of the chancellor (or designee) for up to one (1) year.
3. **Seniority:** Professional leaves shall be counted as time in service for the purposes of seniority and salary advancement.
4. **Return from Leave:**
  - a. At the expiration of the leave, unless otherwise mutually agreed, the employee will be assigned to the same or similar position as at the time the leave was granted, if available.
  - b. Failure to return to employment upon expiration of the leave will result in termination of employment.
5. **Limitations:**
  - a. Except under unusual circumstances, no employee will be entitled to another leave of absence within three (3) years after the termination of a prior professional leave or sabbatical leave.
  - b. Time spent on professional leave does not apply toward years accumulated to qualify for sabbatical leave.

**E. Disability Leave:** Absence from work due to a condition that completely prevents an employee from performing the duties of the assignment.

1. Full-time employees are eligible to receive benefits under the college's long-term disability insurance plan, which provides 66 2/3% of the employee's base salary during the benefit period, subject to a sixty (60) calendar-day waiting period. Refer to the current insurance handbook for additional information.
2. An employee who applies for disability leave must utilize all accrued sick leave and vacation to cover the waiting period. If no accrued sick leave or vacation is available, the employee is entitled to a leave without pay until a long-term disability determination has been made.
3. While an employee is on disability leave, the college will continue payment of the employer insurance premium for health, dental, and vision insurance for up to one (1) year from the date of disability, including any period not covered by accrued sick leave and vacation.
4. Typically, provided the employee is able to return to work within twelve (12) weeks, he/she will return to his/her same position. If the employee requires leave beyond twelve (12) weeks as a result of the employee's own health condition, the college will evaluate its ability to return the employee to the same or similar position based on all relevant circumstances, including the anticipated date of the employee's return and the needs of the college.

**F. Miscellaneous Leave:** Absence from work for the purpose of child rearing, family emergency, personal business, advanced training, or other meritorious reasons.

The timing and length of miscellaneous leaves as defined in this procedure shall be determined by considering the circumstances of the employee's request and the needs of the college.

1. Approval: For staff employees, approval must first be granted in advance by the supervisor and the unit officer and approved by the human resources department. Leaves for administrative employees or faculty are subject to approval by the chancellor. Approval will be based on:
  - a. purpose of leave;
  - b. staffing needs of the college and the unit;

- c. length of service;
  - d. other relevant criteria.
2. Return from Miscellaneous Leave:
- a. Prior to returning from leave, the employee must notify the college by the agreed upon time of her/his intent to return from leave. Notification shall be two (2) weeks in advance for leaves of sixty (60) calendar days or less and one (1) month for leaves exceeding sixty (60) calendar days.
  - b. Failure by the employee to notify the college by the specified date of intent to return from leave, or to return to work by the agreed upon date, or to request additional leave in writing at least one (1) month before expiration of the leave will result in termination of employment.

**G. Military Leave:** Absence from work to fulfill an obligation to the U.S. Military National Guard, or active Armed Forces.

A member of the United States Military Reserve or National Guard will be granted up to a total of one-hundred and twenty (120) hours leave with pay in any federal fiscal year to fulfill military obligations.

**H. Bereavement Leave:** Absence from work related to the death of an immediate family member.

Immediate Family: Parent, grandparent, spouse, sibling, a child or grandchild, including those related by marriage or through a domestic partner relationship.

Up to five (5) consecutive days that the employee is regularly scheduled to work per death may be used for the death of an immediate family member.

**I. Family/Dependent Leave:** Absence from work for the purpose of caring for immediate family members who are ill, injured, or who deliver a child.

Immediate Family: Parent, grandparent, spouse, sibling, a child or grandchild, including those related by marriage or through a domestic partner relationship.

Staff and administrators may use up to eighty (80) hours per year, chargeable to accrued sick leave, and up to seventy (70) for faculty.

**J. Personal Leave:** Absence from work to handle matters which cannot be scheduled outside of regular working hours.

Up to twenty-four (24) hours per fiscal year (up to twenty-one (21) hours for faculty), chargeable to accrued sick leave, may be utilized by full-time employees, subject to prior approval of the employee's immediate supervisor unless there are unforeseen circumstances, then notification should be made as soon as practical.

**K. Jury Duty/Court Attendance Leave:** Absence from work due to a summons to perform jury duty or to appear in court as a party or witness.

Full-time employees will be granted time off with pay to discharge qualified court obligations as defined herein. Absences for court attendance for personal affairs will be charged to personal leave, if available, or to vacation time. If personal leave and vacation time are not available, such leave will be without pay

**L. Leave Without Pay:** During periods of leave without pay, employees will not accrue nor utilize any other form of leave and will be required to utilize any/all accumulated sick leave, followed by any/all accumulated vacation, for the employee's own illness/disability. Employees may continue at their own expense in the college's insurance plans except as provided under the Family Medical Leave Act regulation.

Reference: 3.25015 DP Family and Medical Leave  
3.20010 DR Schedule of Salary and Conditions  
3.35030 DR Sabbatical Leaves  
3.25130 DR Vacations

Approved: Chancellor  
April 1, 1975

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