

52 for unsatisfactory attendance as determined by the attendance accounting procedures
53 described in Article 9.1. The District reserves the right to require proof of illness and may
54 refer any claims for extended sick leave benefits to the District physician whose decision
55 as to the employee's eligibility shall be final.

56 If a verifiable sick leave absence occurs on the working day immediately before and/or
57 after a legal holiday, the legal holiday will not be charged against the sick leave or
58 extended leave.

60 17.3 Responsibility to Report Absences

61 If an employee is unable to report to work for any scheduled shift, it is the employee's
62 responsibility to call the facility department sick-line prior to the start of the shift, no less
63 than 30 minutes before the start of his/her shift to report the absence. If the absence
64 occurs on the work day immediately before and/or after a legal holiday, the legal holiday
65 is not charged against the employee's sick leave accrual.

66 Employees who are absent at least five (5) consecutive workdays must provide to the
67 Office of Human Resources a written documentation of illness from the employee's
68 medical provider, which confirms the time off and the employee's ability to resume
69 his/her regular duties as of a specified date. The supervisor may not permit the
70 employee to return to work without the clearance from the Office of Human Resources.
71 Failure to comply with this Article may result in unpaid leave until such clearance is
72 obtained. If an employee exhibits a pattern of excessive absenteeism, the supervisor
73 may require such clearance for shorter periods of time.

74 Absence required because of the employee's dental or medical appointments may be
75 charged against sick leave.

76 If the employee has a physician's written statement which defines the period of illness,
77 the employee is relieved of reporting in ill each day, providing that the physician's
78 statement has been received in the Human Resources Office.

80 17.4 Personal Necessity Leave

81 17.4.1 The District shall provide seven (7) days of paid Personal Necessity Leave to be
82 charged against unused, accrued full-pay sick leave each fiscal year for any of
83 the following reasons:

84 Advance permission shall not be required for any of the following purposes:

- 85 (1) Death or serious illness of a member of his or her immediate family.
- 86 (2) Accident, involving his or her person or property, or the person or property of a
87 member of his or her immediate family.
- 88 (3) Accident involving relatives other than members of the immediate family.
- 89 (4) Illness involving relatives other than members of the immediate family.
- 90 (5) Unexpected personal or family situation which requires immediate attention.

91 Advance permission would be required for the following purposes:

- 92 (6) Attending to legal or business matters of a compelling personal importance which
93 cannot be attended outside of the workday.
- 94 (7) Appearance in court as a litigant.
- 95 (8) The birth or adoption of his/her child.

96 These days may not be taken for vacation, to extend holidays, nor to engage in concerted
97 activities.

99 17.4.2 Utilization

100 Use of sick leave for personal necessity shall be subject to the following limitations and
101 conditions:

- 102 (1) The total number of days allowed in a fiscal year for such leaves shall not exceed

- 103 seven (7) days.
- 104 (2) The days used will be deducted from, and may not exceed, the number of full days of
- 105 accrued sick leave to which the employee is entitled.
- 106 (3) Personal necessity leave shall not be granted during a scheduled vacation or a leave
- 107 of absence.
- 108 Allocation of sick leave shall be made only upon certification that the absence was due
- 109 to a situation designated as a personal necessity within the meaning of this section.
- 110

111 17.5 Jury Duty or Subpoena Leave

112 The District shall provide paid time off for jury duty or subpoena leave for an unlimited

113 number of days in accordance with Education Code 87035 and 87036. The District may

114 grant a leave of absence to a classified employee to appear as a witness in court, other

115 than as a litigant, or to respond to an official order from another governmental jurisdiction

116 for reasons not brought about through the connivance or misconduct of the employee.

117 The classified employee granted jury duty or subpoena leave, shall be paid up to the

118 amount of the difference between the employee's regular salary earnings and any

119 amount he or she receives for jury or witness fees.

120

121 17.6 Military Leave

122 Military leave shall be granted to employees who volunteer or are enlisted for duty with

123 the armed forces of the United States. Such leave shall be granted in accordance with

124 provision of the law. Compensation shall be in accordance with the California Military

125 and Veterans Code.

126 A copy of the employee's military orders must be presented to the Office of Human

127 Resources when requesting leave.

128 Classified employees who have been employed with the District for at least one (1) year

129 immediately prior to the date on which the military leave of absence begins will receive

130 regular compensation the first thirty (30) calendar days of said leave if this time falls

131 within the employee's usual work period. This includes orders to report for military or

132 veteran's physical examinations and service in the Reserve Corps.

133

134 17.7 Bereavement Leave

135 Any employee is allowed a leave of absence for bereavement leave, not to exceed ~~three~~

136 ~~(3)~~ **five (5)** working days, ~~or five (5) consecutive working days if the employee attends a~~

137 ~~funeral more than 250 miles from the College~~, on full pay when such absence is

138 occasioned by reason of death in the immediate family (employee's spouse, child,

139 stepchild, parent, sibling, father-in-law, mother-in-law, grandparent, grandchild, son-in-

140 law, daughter-in-law or any relative living in the immediate household of the employee).

141 The District may require the employee to provide proof of eligibility for bereavement

142 leave. Bereavement leave is not applicable when an employee is on unpaid leave of

143 absence or during unscheduled work days for employees on less than twelve-(12) month

144 assignments. Bereavement leave is allowable if bereavement immediately precedes or

145 immediately follows such absence.

146 Up to one day's time off with pay will be granted for bereavement leave for the death of

147 relatives not listed above or living in the immediate household. Up to ~~one-half~~ **one** day

148 with pay will be granted for bereavement leave for the death of a friend. *This leave shall*

149 *be limited to one time per fiscal year.* Additional leave may be granted as outlined under

150 "Personal Necessity Charged Against Sick Leave."

151

152 17.8 Unpaid Leave of Absence

153 The District may grant classified employees an unpaid leave of absence, not to exceed

154 six (6) months for the following reasons:

155 (1) to recuperate from illness or injury (after exhaustion of sick leave),

156 (2) for personal not-for-profit business,

157 (3) for extended travel, and

158 (4) in accordance with the Family and Medical Leave Act (FMLA), California Family
159 Rights Act (CFRA), and Pregnancy Disability Leave (PDL).

160
161 **17.9 Personal Absence**

162 If an employee is unable to report for duty on any scheduled work day, it is the
163 employee's obligation to inform the employee's supervisor of such absence within 30
164 minutes prior to the beginning of his/her scheduled shift via the facility department sick-
165 line. Failure to appear for duty without notifying the supervisor in such time shall be
166 considered an unpaid absence for the time not at work and subject to occurrence points
167 under the attendance accounting procedure. If employee fails to contact his/her
168 supervisor or the Office of Human Resources within three (3) work days, the absence
169 may be considered "job abandonment" and may result in termination of employment.
170

171 **17.10 Absences for Religious Holidays**

172 The District shall grant leave of absence for religious holidays in accordance with the
173 California Fair Employment and Housing Act.
174

175 **17.11 Unpaid Pregnancy Disability Leave (PDL)**

176 The District shall provide unpaid Pregnancy Disability Leave in accordance with
177 applicable state (California Family Rights Act –CFRA) and federal (Family and Medical
178 Leave Act – FMLA) laws. The employee may use any accrued and available paid sick
179 leave to supplement the unpaid pregnancy disability leave.

180 An employee who is disabled and physically unable to work because of pregnancy,
181 childbirth, or a pregnancy-related medical condition shall be entitled to up to four (4)
182 months unpaid Pregnancy Disability Leave. The leave can be taken before or after the
183 birth, during any period the employee's medical provider designates as time off needed
184 due to a pregnancy-related disability. All leave taken in connection with a specific
185 pregnancy counts toward computation of the four-month period.

186 The employee may be granted Pregnancy Disability Leave in addition to any leave she
187 may be entitled under FMLA and CFRA. Pregnancy Disability Leave shall run
188 concurrently with any leave the employee may be entitled to under FMLA. The
189 employee may apply for Pregnancy Disability Leave by contacting the Office of Human
190 Resources.
191

192 **17.12 Parental/Child Rearing Leave**

193 17.12.1 Definition of Parental Leave: For the purposes of this Article, "parental leave" is
194 defined as leave for reason of the birth of a child of the employee in connection
195 with the adoption or foster care of the child by the employee.
196

197 **Eligibility for Parental Leave**

198 17.12.2 All full-time and part-time employees who have been employed for 12 months
199 with the Employer are entitled to utilize parental leave.

200 17.12.3 Unit members shall be entitled to twelve (12) workweeks of parental leave in
201 any twelve (12) month period.

202 17.12.4 The unit member is entitled to take parental leave in intermittent periods within
203 the 12-month period; however, the aggregate amount of parental leave taken
204 shall not exceed 12 workweeks in the 12-month period.

- 205 17.12.5 The unit member is entitled to use his or her regular accrued paid sick leave in
206 taking parental leave, if the employee chooses to do so.
- 207 17.12.6 The unit member must first use his or her regular accrued paid sick leave, and
208 then, when this accrued leave is exhausted, the employee is entitled to use
209 parental leave, for a total of 12 workweek in any 12-month period. The unit
210 member shall be compensated at no less than 50 percent of the employee's
211 regular salary for the remaining portion of the 12-workweek period of parental
212 leave.
- 213 17.12.7 The unit member is also entitled to use his or her accrued vacation or comp
214 time in lieu of the supplemental parental sick leave pay in order to achieve fully
215 paid days after sick leave is exhausted, if the employee chooses to do so.
- 216 17.12.8 Paid parental leave under this Article runs concurrently with unpaid parental
217 leave under the California Family Rights Act (CFRA) and the federal Family and
218 Medical Leave Act (FMLA) for a total of 12 workweeks during any 12-month
219 period.
- 220 17.12.9 Paid parental leave under this section is in addition to leave taken for disability
221 due to pregnancy, childbirth or related medical condition, which may be taken in
222 accordance with Article 17.11.
- 223

224 **17.13 Family and Medical Leave Act**

225 The District is not required to provide employees time off for religious holidays, except
226 those that are board authorized. Employees who observe recognized religious holidays
227 shall be granted time off as an accommodation in accordance with California state law.
228 Qualified classified employees shall be granted unpaid, job-protected leave for specified
229 family and medical reasons with continuation of group health insurance coverage under
230 the same terms and conditions as if the employee had not taken leave.

231 **FMLA Eligibility**

232 Eligible employees are entitled to up to twelve (12) workweeks of unpaid leave in a 12-
233 month period for:

- 234 (1) the birth of a child and to care for the newborn child within one year of birth;
 - 235 (2) the placement with the employee of a child for adoption or foster care and to care
236 for the newly placed child within one year of placement;
 - 237 (3) to care for the employee's spouse, **designated person**, child, or parent who has
238 a serious health condition;
 - 239 (4) a serious health condition that makes the employee unable to perform the
240 essential functions of his or her job; a "serious health condition" is defined as an
241 injury, illness or hospital stay resulting in an absence of in excess of three (3)
242 consecutive workdays (four (4) or more workdays).
 - 243 (5) any qualifying exigency arising out of the fact that the employee's spouse, son,
244 daughter, or parent is a covered military member on "covered active duty;" OR
 - 245 (6) to care for a covered service member with a serious injury or illness if the eligible
246 employee is the service member's spouse, son, daughter, parent, or next of kin
247 (military caregiver leave).
- 248

249 **17.14 California Family Rights Act**

250 The District shall comply with the California Family Rights Act. Qualified classified
251 employees shall be granted unpaid, job-protected leave for specified family and medical
252 reasons with continuation of group health insurance coverage under the same terms and
253 conditions as if the employee had not taken leave.

254 **17.14.1 CFRA Eligibility**

255 Eligible employees are entitled to up to twelve (12) workweeks of unpaid leave in a 12-

- 256 month period to:
- 257 (1) to care for or bond with a newborn, adopted or foster child within one year of birth or
 - 258 placement of the child in the employee's home;
 - 259 (2) to care for the employee's spouse, child, parent, **designated person** or domestic
 - 260 partner who has a serious health condition; or
 - 261 (3) for an employee's own serious health condition.

262 17.14.2 A leave of absence for purposes that satisfy both FMLA (Article 17.13) and

263 CFRA shall run concurrently. Unit members shall be limited to twelve (12) workweeks of

264 unpaid leave in a 12-month period when these leaves run concurrently.

265

266 **17.15 Family Engagement & Kincare Leave**

267 The District shall comply with the California laws governing this subject matter.

268 Classified employees, that are the parent, guardian, or grandparent with custody of one

269 or more children in kindergarten or grades 1 to 12, shall be provided up to forty (40)

270 hours unpaid leave each fiscal year, not to exceed eight (8) hours in any calendar

271 month, to participate in activities of the school or licensed child daycare facility of his/her

272 children. To receive pay for days off under this provision the employee may utilize

273 accrued vacation leave, personal necessity leave, or compensatory time.

274 The employee shall provide reasonable notice to his/her supervisor, prior to taking the

275 time off for planned absence for activities under this provision. Regardless of the number

276 of children in the employee has, he/she can only take off up to 40 hours per fiscal year.

277 The employee, if requested by his/her supervisor, shall provide documentation from the

278 school or licensed child daycare facility as proof that he or she participated in school or

279 licensed child daycare facility activities on a specific date and at a particular time.

280 Employees shall be permitted to use in any calendar year an amount not less than the

281 sick leave that would be accrued during six months at the employee's then current rate

282 of entitlement for the following purposes:

283 (1) Diagnosis, care, or treatment of an existing health condition or, preventative care for,

284 an employee or an employee's family member; or

285 (2) For an employee who is a victim of domestic violence, sexual assault or stalking.

286 Employees utilizing leave for these purposes shall not be required to use all available

287 leave in any single occurrence.

288

289 **17.16 Leave for Reproductive Loss**

290 **Definition of Reproductive Loss Leave: For the purposes of this Article,**

291 **“reproductive loss leave” is defined as leave for a reproductive loss event. A**

292 **reproductive loss means “the day or, for a multiple-day event, the final day of a**

293 **failed adoption, failed surrogacy, miscarriage, stillbirth, or an unsuccessful**

294 **assisted reproduction (i.e, an unsuccessful round of intrauterine insemination or**

295 **of an assisted reproductive technology procedure).**

296 **Eligibility for Reproductive Loss Leave**

297

298 **17.16.2 All full-time and part-time employees who have been employed for**

299 **30 days.**

300

301 **17.16.3 Unit members shall be entitled to up to five (5) days of reproductive loss**

302 **leave (which may be taken nonconsecutively) per reproductive loss event, up to a**

303 **total amount of twenty (20) days of reproductive loss leave within a twelve (12)**

304 **month period. Reproductive loss leave must be taken within three (3) months of**

305 **the reproductive loss event. However, if prior to or immediately following a**

306 **reproductive loss event, an employee is on or chooses to go on Pregnancy**

Disability Leave (Gov. Code Section 12945), under the California Family Rights Act, or any other leave entitlement under state or federal law, the employee must complete their reproductive loss leave within three (3) months of the end date of the other leave.

17.16.4 The unit member is entitled to use his or her regular accrued paid sick leave, if the employee chooses to do so.

17.17 Catastrophic Leave

Employees may participate in the catastrophic leave program, which permits employees to donate accrued vacation or sick leave to the catastrophic leave bank.

An eligible employee who is, or whose family member is, suffering from a catastrophic illness or injury may request a donation of vacation and/or sick leave from the leave bank by submitting a request and providing verification of the catastrophic injury or illness to the Office of Human Resources for consideration by the Catastrophic Illness or Injury Committee (see Appendix E).

17.18 Industrial Accident or Illness Leave


An employee suffering an injury or illness arising out of and in the course of his/her employment shall be entitled to a leave not exceeding sixty (60) work days in any one fiscal year for the same accident or illness. The leave shall not be accumulated from year to year, and when the leave will overlap a fiscal year, the employee shall be entitled to only that amount remaining at the end of the fiscal year in which the injury or illness occurred.

Payments for wages lost on any day shall not, when added to an award granted to the employee under the Workers' Compensation laws of this state, exceed the normal wage for the day.

The industrial accident or illness leave is to be used in lieu of normal sick leave benefits. When entitlement to industrial accident or illness leave under this Section has been exhausted, entitlement to other sick leave, vacation or other paid leave may then be used. If, however, an employee is still receiving temporary disability payments under the Workers' Compensation laws of this state at the time of exhaustion of benefits under this Section, he/she shall be entitled to use only so much of his/her accumulated and available normal sick leave and vacation leave, which, when added to the Workers' Compensation award, provides for a day's pay at the regular rate of pay.

Signed and entered into this 21st day of March, 2024.

FOR THE COLLEGE DISTRICT



[Robert Blizinski \(Aug 1, 2024 10:00 PDT\)](#)

Robert S. Blizinski,
Vice-President, Human Resources




Brian Cummins,
Director, Human Resources

FOR CSEA


[Gregory Zemanek \(Aug 2, 2024 01:18 PDT\)](#)

Gregory Zemanek,
CSEA, Chapter 777 President


[Joseph Zacklin \(Aug 1, 2024 11:04 PDT\)](#)

Joseph Zacklin,
CSEA Labor Relations Representative