

**Coast Community College District
ADMINISTRATIVE PROCEDURE**

Chapter 7
Human Resources

AP 7340 Vacation and Leaves

References:

Education Code Sections 87035, 87036, 87763 et seq. and 88190 et seq.;
Labor Code Sections 234 and 245 et seq.;
Internal Revenue Code Section 401
BP/AP 7270 Student Assistants

ALL EMPLOYEES

Sick Leave Procedures for all Employees

Unused sick leave shall be cumulative without limit during an employee's unbroken term of employment with the District. All accumulated sick leave privileges shall be canceled, without cash value to the employee, when a person ceases to be a District employee, except that sick leave privileges accumulated by an employee may be transferred to another California public school or community college district at the employee's request in accordance with Education Code provisions. Upon retirement, District employees can receive service credit for unused sick leave subject to the rules and regulations of the California Public Employees' Retirement System and California State Teachers' Retirement System, respectively.

The Chancellor or his/her designee may, at his/her discretion, require an employee to provide a physician's certification of illness to support the employee's claim to sick leave or extended sick leave benefits or because there is reason to have concern regarding the employee's ability to do the job because of physical or mental condition.

The Chancellor or his/her designee may, at his/her discretion, require an employee to provide a physician's certificate of employee fitness for return to the District assignments following an extended absence because of illness.

FACULTY

The applicable collective bargaining agreement with the District includes provisions on vacation and leaves.

CLASSIFIED EMPLOYEES

The applicable collective bargaining agreement with the District includes provisions on vacation and leaves.

CONFIDENTIAL EMPLOYEES

Illness While on Vacation

Should a confidential employee become ill while on paid vacation, such an illness may be considered, upon request, to be charged to accumulated sick leave.

A request shall be made to the employee's supervisor immediately upon return to duty. Documentation and/or a physician's statement may be required. A portion or all of the used vacation for illness may be restored provided adequate sick leave is available.

Extended Sick Leave

Employees of the District who are classified as confidential shall have extended sick leave benefits as follows: Pay at not less than one half of the regular full-time rate of pay.

Absence Due to Death in Immediate Family

Any confidential employees experiencing a death in his/her immediate family may be granted leave by the Chancellor or designee, without loss of pay, for periods not to exceed three days for each bereavement (or not to exceed five days for each bereavement if a 250 mile one-way travel is necessary).

Pursuant to Education Code Section 87788, members of the immediate family shall mean the mother, father, grandmother, grandfather, or a grandchild of the employee or of the spouse of the employee, and the spouse, son, son-in-law, daughter, daughter-in-law, brother, or sister of the employee, or any relative living in the immediate household of the employee. Pursuant to state law, this also applies to domestic partners.

Absence Because of Quarantine, Subpoena as Witness, Jury Duty

Quarantine

Confidential employees shall continue to receive remuneration from the District at the regular rate of pay for such period or quarantine by city or county health officers because of another person's illness.

Subpoena as Witness

Confidential employees subpoenaed as a witness shall be paid by the District, for such time as responsibilities as a witness require them to be absent from the District assignment, at the regular rate of pay less the amount of the fees received for serving as a witness.

Jury Duty

- A. The District agrees to grant to an employee called for jury duty, in the manner provided by law, leave of absence without loss of pay for the time the employee is required to perform jury duty. The District may require verification of jury duty time served.

- B. An employee called for jury duty must notify the District of the service date(s) upon receiving said notice from officers of the court.
- C. The District shall grant full compensation. Fees received by the employee, excluding travel and subsistence expenses, shall be remitted to the District.

Vacation

Vacation shall be in addition to other leaves and holidays granted by the Board of Trustees during any given fiscal year.

Scheduling and approval of vacations should be agreed upon by the employee and his/her immediate supervisor.

If an employee terminates employment and has been granted vacation, which has not yet been earned at the time of the termination, the District will deduct from the employee's final check the full amount of earnings that were paid for in advance. Confidential employees will be required to sign a deduction authorization form when requesting the use of unearned vacation.

Employees who terminate or retire generally will be required to use accrued vacation prior to the termination date, except that any unused accrued vacation may be paid in a lump sum upon:

- a. Termination or retirement from employment with the District; or
- b. Board approval of leave of absence.

Confidential employees who receive an accumulated vacation day payout at separation from service or retirement from the District will receive a cash payment through District Payroll subject to all applicable withholdings.

EDUCATIONAL ADMINISTRATORS AND CLASSIFIED MANAGERS (“Manager”)

Illness While on Vacation

Should a Manager become ill while on paid vacation, such an illness may be considered, upon request, to be charged to accumulated sick leave.

A request shall be made to the employee's supervisor, immediately upon return to duty. Documentation and/or a physician's statement may be required. A portion or all of the used vacation for illness may be restored provided adequate illness leave is available.

Leaves of Absence

Leaves of absence may be granted by the Board of Trustees for good and sufficient reasons. Requests for such leaves shall be reviewed by the Chancellor or designee prior to presentation to the Board of Trustees for their consideration. The Chancellor's or designee's recommendation shall accompany the request to the Board of Trustees.

Absence Due to Death in Immediate Family

Any Manager experiencing a death in his/her immediate family may be granted leave by the Chancellor or designee, without loss of pay, for periods not to exceed three days for each bereavement (or not to exceed five days for each bereavement if a 250 mile one-way travel is necessary).

Pursuant to Education Code Section 87788, members of the immediate family shall mean the mother, father, grandmother, grandfather, or a grandchild of the employee or of the spouse of the employee, and the spouse, son, son-in-law, daughter, daughter-in-law, brother, or sister of the employee, or any relative living in the immediate household of the employee. Pursuant to state law, this also applies to domestic partners.

Absence Because of Quarantine, Subpoena as Witness, Jury Duty

Quarantine

Managers shall continue to receive remuneration from the District at the regular rate of pay for such period or quarantine by City or County Health Officers because of another person's illness.

Subpoena as Witness

Managers subpoenaed as a witness shall be paid by the District for such time as responsibilities as a witness require to be absent from the District assignment, at the regular rate of pay less the amount of the fees received for serving as a witness.

Jury Duty

- A. The District agrees to grant to an employee regularly called for jury duty, in the manner provided by law, leave of absence without loss of pay for the time the employee is required to perform jury duty. The District may require verification of jury duty time served.
- B. An employee called for jury duty must notify the District of the service date(s) upon receiving said notice from officers of the court.
- C. The District shall grant full compensation. Fees received by the employee, excluding travel and subsistence expenses, shall be remitted to the District.

Vacation

Vacation shall be in addition to other leaves and holidays granted by the Board of Trustees during any given fiscal year.

Scheduling and approval of vacations should be agreed upon by the employee and his/her immediate supervisor.

If a Manager terminates employment and has been granted vacation, which has not yet been earned at the time of the termination, the District will deduct from the Manager's

final check the full amount of earnings that were paid for in advance. Managers will be required to sign a deduction authorization form when requesting the use of unearned vacation.

Managers who terminate or retire generally will be required to use accrued vacation prior to the termination date, except that any unused accrued vacation may be paid in a lump sum upon:

- a. Termination or retirement from employment with the District; or
- b. Board approval of leave of absence.

Managers who receive an accumulated vacation day payout at separation from service or retirement from the District will receive a cash payment through District Payroll subject to all applicable withholdings.

SHORT-TERM ASSIGNMENTS, PROFESSIONAL EXPERTS, MEDICAL PROFESSIONALS, AND STUDENT ASSISTANTS

- Effective July 1, 2015, an employee who works in California for 30 or more days within a year from the beginning of employment, is entitled to paid sick leave.
- Twenty-four hours of sick leave will be provided on the first day of employment, or July 1, 2015, whichever is later.
- Accrued paid sick days may not be used until the 90th day of employment.
- The maximum amount of paid sick leave that may be used in one year is limited to 24 hours or three days and cannot be carried over.
- Paid sick leave may be requested from the immediate manager in writing or verbally.
- Paid sick leave cannot be transferred to another job classification or permanent position and cannot be transferred to another institution.
- Paid sick leave may be taken for oneself or for a family member for the diagnosis, care, or treatment of an existing health condition or preventive care, or, for one who is a victim of domestic violence, sexual assault, or stalking, other specified purposes pursuant to Labor Code Section 230.
- If an employee is rehired within one year of termination, previously accrued and unused paid sick days shall be reinstated.
- Retaliation or discrimination against a short-term hourly, professional expert, medical professional, or a student assistant who requests or uses paid sick days is prohibited. A complaint may be filed with the Labor Commissioner against an employer who retaliates or discriminates against the employee for exercising these rights.

Also see BP/AP 7270 Student Assistants

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