

**Coast Community College District
ADMINISTRATIVE PROCEDURE**

Chapter 7
Human Resources

AP 7340 Vacation and Leaves for Employees Not in a Bargaining Unit

References:

Education Code Sections 87035, 87036, 87763 et seq. and 88190 et seq. ;
Labor Code Sections 230, 234, and 245 et seq. ;

Sick Leave

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 applicable 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. For sick leave information for temporary employees, refer to the section below titled Short-term, Professional Experts, Medical Professionals, and Student Assistants.

The Chancellor or their designee may, at their 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 their designee may, at their 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.

CONFIDENTIAL EMPLOYEES

Illness While on Vacation

Should an 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 statement from a health care provider may be required. A portion or all of the used vacation for illness may be restored provided that adequate sick leave is available.

Extended Sick Leave

Employees 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 employee shall be granted necessary leave of absence, not to exceed three days, or five days if out-of-state travel is required, on account of the death of any member of their immediate family. No deduction shall be made from the salary of the employee nor shall such leave be deducted from leave granted to the employee. "Immediate family" means 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.

Quarantine

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

Subpoena as Witness

Employees subpoenaed as a witness, in connection with a matter, event, or transaction which they have expertise gained in the course of their duties, 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 will grant to an employee called for jury duty, in the manner provided by law, leave of absence without loss of pay for the time that 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 dates upon receiving notice from the court.
- C. 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.

Scheduling and approval of vacations and floating holiday should be agreed upon by the employee and their 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.

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 will be paid in a lump sum upon:

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

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 (“Managers”)

Illness While on Vacation

Should an 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 illness leave is available.

Managers shall have extended sick leave benefits as follows:

- Educational Administrators: Compensation at one-half of full-time rate OR less the rate of pay given a substitute employee, whichever provides the greater remuneration for the employee.
- Classified Managers: Compensation at one-half of the full-time rate of pay.

Leaves of Absence

Leaves of absence for more than 30 consecutive business days without pay will be ratified by the Board for good and sufficient reasons. Requests for such leaves shall be reviewed by the Chancellor or designee prior to presentation to the Board for its consideration. The Chancellor's or designee's recommendation shall accompany the request to the Board.

Absence Due to Death in Immediate Family

Any employee experiencing a death in their immediate family shall be granted necessary leave of absence, not to exceed three days, or five days if out-of-state travel is required, on account of the death of any member of their immediate family. No deduction shall be made from the salary of the employee nor shall such leave be deducted from other leaves granted to the employee. “Immediate family” means 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.

Quarantine

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

Employees 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 will 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 dates upon receiving notice from the court.
- C. 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.

Scheduling and approval of vacations will be agreed upon by the employee and their 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. 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.

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.

SICK LEAVE FOR SHORT-TERM EMPLOYEES, PROFESSIONAL EXPERTS, MEDICAL PROFESSIONALS, AND STUDENT ASSISTANTS

- 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.
- Forty hours of sick leave will be provided on the first day of employment.
- 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 40 hours and cannot be carried over.
- Paid sick leave may be requested from the immediate supervisor in writing or orally.
- 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, a family member, or another designated person (any individual related by blood or whose association with the employee is the equivalent of a family relationship) 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, or 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 an employee 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 an employee for exercising these rights.

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