

3016.

ADMINISTRATIVE REGULATIONS
ON LEAVES OF ABSENCE WITHOUT PAY

3016.1 The Administrative Dean, Human Resources, shall administer these regulations. These regulations shall apply to faculty (full-time), administrators, manager/supervisors, confidential employees, and classified employees (permanent, probationary, and provisional). (Note: Bargaining unit members refer to contract for other leaves and specific provisions of these leaves.)

3016.2 Definition - For the purposes of these regulations, a leave of absence without pay is defined as a leave granted by the District to an employee without pay and without district-funded fringe benefits for a period not exceeding twelve consecutive calendar months. (Exceptions: Leave of absence for military service shall be granted as provided in the Education Code and the Military and Veterans Code; leave of absence for government service shall not exceed twenty-four (24) consecutive months.)

3016.3 Leaves of absence without pay shall be granted to employees for

A. Military service in accordance with the Military and Veterans Code Section 345 (short-term military leave, with proper verification, is with pay). An employee on military leave shall have the time count towards salary step advancement.

B. Family Care

A leave of absence for family care shall be granted to an academic employee for a minimum of one (1) semester up to a maximum of one (1) year and to a classified employee for a period of time up to one (1) year for the purpose of rearing the employee's child/children (whether natural or adopted) or for the purpose of caring for ill or infirm member(s) of the employee's immediate family, provided that the employee submit the leave of absence request form to Human Resources at least thirty (30) days prior to the anticipated beginning date of the leave. In case of emergencies, exceptions to this notice requirement may be granted by the Board of Trustees.

1. Additional leave for up to one additional year may be granted upon the request of the employee if the request is made at least six (6) weeks prior to expiration of family care leave and if the original need persists.

2. The return to service from family care leave for a faculty member shall coincide with the start of a semester or a summer session.

3. If a family care leave is taken pursuant to this section by an academic employee after the employee has begun work in a given school year, service credit shall be granted for the balance of that year and then no service credit shall be granted for any subsequent year of unpaid leave.

- 3016.4 A pre-childbirth leave may be granted to a pregnant employee prior to the time of qualifying for sick leave benefits and additional leave may be granted after the period of physical disability for pregnancy, miscarriage, or childbirth, provided that a satisfactory replacement is available.
- 3016.5 Leaves of absence without pay may be granted to classified and academic employees for:
- A. Rest and recuperation
 - B. Rest and travel
 - C. Rest and recreation
 - D. Personal or family problems
 - E. Government service, including the Peace Corps, VISTA, elected office, and the Job Corps
 - F. Teaching in a foreign country
 - G. Such reasons as are deemed sufficiently important by the Board of Trustees.
- 3016.6 Employees on unpaid leaves as defined in 3016.5 shall not have their leave time count as time served for purposes of salary step advancement or for seniority in the case of classified employees. (Exception: An employee on government service and an employee teaching in a foreign country shall have the time count towards salary step advancement.)
- 3016.7 Leave of absence without pay which is granted for a period not exceeding twelve consecutive calendar months may be extended for an additional consecutive year for good and sufficient cause, provided that a satisfactory replacement is available.
- 3016.8 While on less than thirty (30) calendar days of unpaid leave, the District shall provide all health and life insurance benefits for the employee. While on unpaid leave for thirty (30) or more calendar days the unit member shall be permitted to participate in District health insurance plans by paying the cost of the plans during the period of leave. Neither the District nor the employee may make STRS or PERS contributions for unpaid leaves of any length as described in this policy.
- 3016.9 An academic employee, prior to returning to work after a leave of absence without pay of one year or more, must submit a written notice of his/her intention to return to work to the Administrative Dean, Human Resources, with a copy to the supervising administrator, at least ninety (90) days before the expiration of the leave. A classified employee, prior to returning to work after a leave of absence without pay of one year or more, must submit a written notice of his/her intention to return to work to the Administrative Dean, Human Resources, with a copy to the supervising administrator, not less than thirty (30) days prior to the expiration of the leave.
- 3016.10 At the expiration of the leave of absence, the academic employee shall, unless he/she otherwise agrees, be reinstated in the position held by him/her at the time of the granting of the leave of absence. (See regulations in the CSEA collective bargaining contract for classified employees.)