

# See CCCCDC Leaves and Absences Policy - DEC (Local)

## Leave and Absence Guidelines

Full time benefits eligible employees are eligible for leave in accordance with college district policy. All types of leave are subject to the provisions of the college district Family and Medical Leave Policy and Military Family Leave Amendment, where applicable.

College district supervisors are not authorized to approve unpaid absences (leave without pay) of full-time employees within their respective departments or work units.

Employees who have exhausted eligible paid leave and are absent from work for a reason not covered by the Family and Medical Leave Act or other leave benefit provision are subject to termination of their employment with the college district.

Further, employees who are absent from work without approval and who do not call their supervisor or report to work for three consecutive days will be terminated as a voluntary resignation.

### Employee's Responsibility for Notification

**Absences for medical and dental appointments should be scheduled with the advance approval from the employee's supervisor and at times that are least disruptive to the department.** In the event of illness or any other unscheduled absence, the employee must contact the supervisor at the beginning of the absence to advise the supervisor of the circumstances and the anticipated length of the absence. If the employee is unable to return to work on the date indicated, the employee must notify the supervisor in writing with a revised anticipated return date.

Employees absent due to illness or a Family and Medical Leave status must complete and submit required forms, which include a Request for Leave of Absence form and a Certification of Healthcare Provider form.

An employee absent from work for a period greater than five days or following any period of hospitalization must submit a medical statement from their healthcare provider to their supervisor and to Human Resources on or before their return to work. Failure of an employee to comply with the provisions of this policy may be grounds for disciplinary action as provided in policy DMAA (Local), which may include termination of employment.

Employees are required to use Family and Medical Leave, if eligible, concurrently with all applicable paid leave. All Family and Medical Leave-eligible absences beyond available paid leave shall be without pay. Only earned, not credit, leave may be used during a medical leave of absence.

### Supervisor's Responsibility for Notification

The supervisor must notify their Employee Relations Manager in Human Resources if an employee will be absent due to illness (their own or a family member's) for more than five days or if the employee is hospitalized, regardless of the type of paid leave to be used or reported.

### New Employees Not Eligible for Family and Medical Leave

New benefits-eligible employees, who have not been employed with the college district long enough to qualify for the Family and Medical Leave Act and who exhaust all available paid leave and are temporarily unable to return to work related to their own serious health condition, may request unpaid leave, not to exceed 20 work days.

To initiate the request for unpaid non-FML medical leave described above, a doctor's statement, which indicates the employee is unable to work related to a medical condition and which provides the anticipated date the employee may return to work, must be submitted to the Human Resources Office at the CYC with an initial leave report form.

If approved, the college district will hold a job open and allow the individual to continue eligible insurance plan coverages and service credit without a break. During an unpaid leave of absence, the employee may be responsible for continuing benefits and deductions by paying premiums on a monthly basis, as required by the State's group insurance policy regulations. An employee who returns to work within the approved leave period shall return to employment in the same or a similar position at the same level of pay. An employee who does not return from a leave of absence at the end of the approved period will be terminated effective on the last day of approved leave or upon the date of notice, whichever is earlier.

### FMLA Provisions

Family and Medical Leave is available in accordance with the FMLA/Military Family Leave Amendment for the serious illness of the employee or eligible family members and for the birth of a child, or adoption or placement of a foster child. Up to twelve weeks of leave may be taken within a twelve month period, measured from the employee's first day of Family and Medical Leave.

A husband and wife who are both employed by the district and are eligible for Family and Medical Leave shall be limited to a combined total of twelve weeks of leave during any twelve-month period if the leave is taken for the birth of a child, the placement of a child for adoption or foster care, or to care for a parent with a serious health condition. When a husband and wife both use a portion of the total twelve week entitlement for one of the noted purposes, each spouse shall be entitled to the difference between the amount of leave taken individually and the twelve weeks of Family and Medical Leave for a purpose other than those listed.

Employees who do not return from a leave of absence at the end of the approved period will be terminated effective on the last day of approved leave or upon the date of notice, whichever is earlier.