

ARTICLE 19 - ABSENCES AND LEAVES

- 19.1 Reporting of Absences. Employees who must be absent shall communicate that fact to the administrative supervisor as soon as possible. Every attempt shall be made to notify the administrative supervisor at least two hours before the employee's next scheduled class or other work assignment.
- 19.11 Full-time Faculty and Academic Professionals. Employees who will be on a paid or unpaid leave of absence in excess of two weeks shall apply for such leave on forms available from the administrative supervisor's office or the Benefits office of the Human Resources Department. The application shall be submitted to the administrative supervisor.
- 19.12 Part-time Faculty. Part-time Faculty will complete the required Leave of Absence forms provided by the College to initiate any leave of absence. Other absences shall be reported on their regular timesheet.
- 19.2 Sick Leave
- 19.21 Full-time Faculty and Academic Professionals. Full-time employees shall earn sick leave on the basis of one day of sick leave for every 18 work days compensated during the appointment year. Full-time Faculty who work part-time fourth term employment (Article 8.31) shall earn sick leave at the rate specified for part-time Faculty. Sick leave for part-time academic professionals shall be calculated on the same basis as full-time academic professionals, pro-rated to their FTE.
- 19.211 Unused sick leave shall be accumulated without limit. Sick leave accumulated while employed by other public school districts or public agencies may be transferred if permitted by statute and agreed to by Management at the time of employment.
- 19.212 A licensed physician's signed statement or other Management-approved verification of illness or injury may be required for each period of absence of five or more consecutive days chargeable as sick leave. If such absence continues for more than one month, Management may require such verification at the end of each month.
- 19.213 In the event of illness or injury of an employee's immediate family, as defined in 19.24, which necessitates the employee's absence, sick leave may be used to a maximum of three days in any one instance. The use of sick leave to care for a family member (child, spouse, parent or parent-in-law) who suffers "serious health conditions" will be considered under the Family Medical Leave provisions in 19.91 of this Agreement.
- 19.22 Part-time Faculty. Part-time Faculty will accrue two hours of sick leave per pay period. A maximum of 32 hours may be accrued in an academic year. A maximum of 32 hours of accrued unused sick leave may be carried over from one academic year to the next. However, no more than 32 hours may be accrued and/or carried over at any time. Sick leave may be used to care for an immediate family member. A maximum of eight hours of accrued sick leave per academic year may be used for personal reasons.
- 19.221 Accrued sick leave may only be used during terms in which the Part-time faculty member is assigned bargaining unit work. Sick leave will only accrue during pay periods in which the part-time faculty member receives pay.

- 19.222 To be eligible for sick leave accrual, the part-time faculty member must be assigned work in accordance with Article 1.21. Special project, curriculum development, or other work which is not covered under Article 1.21, or which is excluded under Article 2.3, will not count toward sick leave accrual.
- 19.223 A licensed physician's or nurse practitioner's signed statement or other Management-approved verification of illness or injury may be required for each three day period of absence from assigned classes or other assigned work. If such absences continue for more than one pay period, Management may require such verification at the end of each payroll period.
- 19.224 Sick leave exception. Part-time Faculty who have accrued sick leave balances as of the end of Winter term 1998 will be allowed to maintain those balances and will be eligible to use them as the need arises. There will be no additional sick leave time credited to those balances. Previously accrued sick leave established on the employee's record, including sick leave accrued in a temporary full-time faculty appointment, may be used for the employee's personal illness during any term in which the employee is employed at a level which qualifies the employee for the bargaining unit.
- 19.23 Absence resulting from illness or accident compensated by the Workers' Compensation Program may be taken as unpaid leave or reported as sick leave. Employees shall comply with state regulations and College Personnel Procedures regarding matters covered under State Workers' Compensation.
- 19.24 For the purpose of 19.213, 19.22 and 19.41 "immediate family" shall mean parent, parent-in-law, step-parent, brother, sister, brother-in-law, sister-in-law, child, step-child, son-in-law, daughter-in-law, spouse, grandparent, grandchild or member of the employee's immediate household. "In-law" relationships will also include those who are related to an employee through a domestic partner.
- 19.3 Vacation Leave for Academic Professionals
- 19.31 Academic Professionals with a 2,080 hour work year (i.e. full-time) will earn paid vacation leave in accordance with the following schedule:
- | Years of Seniority | Hours of Leave | Days per Year |
|--------------------|-----------------|---------------|
| 0-4 years | 13.33 per month | 20 days |
| 5-9 years | 14.67 per month | 22 days |
| 10 years or more | 16.67 per month | 25 days |
- All other Academic Professionals will earn the amount of paid vacation leave equal to their hours of work multiplied by the following hourly accrual schedule:
- | Years of Seniority | Hours of Leave |
|--------------------|----------------|
| 0-4 years | .0769 per hour |
| 5-9 years | .0846 per hour |
| 10 years or more | .0962 per hour |
- 19.32 An Academic Professional will schedule paid vacation leave in cooperation with his/her administrative supervisor.
- 19.33 Vacation time earned during an academic year must be taken before the end of the following year (i.e. by August 20th) or it will be lost. Accordingly, an Academic Professional may carry forward from one academic year to the next up to the amount of vacation leave she/he earned during that academic year. However, vacation time that will

be lost under this provision may be cashed out if efforts to schedule the leave have not been successful.

- 19.34 An Academic Professional's final paycheck will include payment for any unused, accrued vacation leave.

19.4 Bereavement Leave

- 19.41 Full-time Faculty and Academic Professional. Employees may be absent with pay up to five working days following the death of a member of the immediate family as defined in 19.24. The entitlement is for each member of the immediate family as defined in 19.24.

- 19.411 Employees may be absent with pay for up to one day to attend the funeral of a friend or a relative other than a member of the immediate family with the prior approval of Management.

- 19.42 Part-time Faculty and Academic Professionals. Employees absent because of the death of a member of the immediate family shall be paid for the time lost from the employee's scheduled duties for a period of three consecutive days.

19.5 Court or Jury Leaves

- 19.51 Jury Duty. Employees summoned for jury duty shall be excused for that purpose without loss of pay. Any per diem fees paid for such duty shall be paid to the College. A copy of the order shall be filed with the department administrator.

- 19.52 Court Witness. Employees subpoenaed to appear as a witness in a case in court unless a party to the matter at issue shall be excused for that purpose without loss of pay. A copy of the subpoena shall be filed with the department administrator. Any witness fees paid shall be paid to the College.

19.6 Military Leaves

- 19.61 A full-time Faculty or Academic Professional employee who is a member of one of the reserve components of the armed forces of the United States or the Oregon National Guard shall be entitled to a leave for a period of active military duty not to exceed a total of fifteen calendar days each calendar year as provided in ORS 408.290. Requests for military leave shall be submitted through regular administrative channels to the Director of the Human Resources Department and shall be accompanied by official orders specifying the dates and locations of such military duty. This annual leave shall be an unpaid leave for temporary appointments.

- 19.62 Bargaining unit members who are called to, or volunteer for, active duty will be considered for reemployment in accordance with the Federal Uniformed Services Employment & Reemployment Rights Act (USERRA).

19.7 Personal Leave for Full-time Faculty and Academic Professionals and Part-time Academic Professionals

- 19.71 An employee shall be granted up to three paid days of personal leave for the twelve month period beginning September 1 of each year. An employee will schedule personal leave in cooperation with his/her administrative supervisor. Unused personal leave shall not be carried forward from one year to the next. Personal leave days for Academic Professionals shall be pro-rated based on their authorized FTE. Temporary employees are not eligible for personal leave days.

- 19.72 Except in an emergency, employees shall submit written requests for such leave at least two weeks in advance to their administrative supervisor or designee. In emergency cases, written requests shall be submitted as soon as possible, either in advance or upon return from leave.
- 19.73 Notwithstanding the requirement of the administrative supervisor approval in Article 19.71, except in an emergency, Faculty shall not be granted personal leave during the first week of classes, during finals week or during assigned advising days. Except in an emergency, Academic Professionals shall not be granted personal leave during periods when the administrative supervisor determines it would be disruptive to department services for the employee to be absent at the time requested.
- 19.74 Personal leave days shall not be granted to employees for scheduled inservice days.
- 19.75 Up to three days of additional unpaid personal leave may be granted upon the request of the employee and the approval of the Campus President/Executive Officer. Unpaid leaves of a longer duration shall be processed as full or partial unpaid leaves under 19.9.
- 19.8 College Closure. In the event of unusual circumstances resulting from extreme adverse weather, natural disaster, fire or other emergency beyond Management control, it may become necessary for Management to delay opening and/or close some or all College operations at one or more campuses, centers or other facilities.
- 19.81 Management will establish a general policy directive supported by procedures to be followed by employees at each College campus, center and other facility. This directive and supporting information shall be written and distributed to all employees not later than November 15 of each year.
- 19.82 Full-time Faculty and Academic Professional employees are FLSA exempt employees. As such, the expectation of these staff is that their work time is not bound to a fixed schedule and that the time lost due to the closure will be made up by extended work days, weekend work or additional work days, and by making up all the course material. Exempt staff is not paid overtime or additional compensation for such additional time worked.
- 19.83 If a College closure occurs on the same date an employee has scheduled a vacation or personal leave day, the time off shall be counted as a vacation or personal leave day.
- 19.84 Part-time Faculty who are required to miss class as a result of a College-designated holiday or closure are expected to make up all the course material.
- 19.9 Leaves of Absence Without Pay
- 19.91 Family/Medical Leave. When eligible, employees may be granted family/medical leave under the Federal Family Medical Leave Act and/or the Oregon Family Medical Leave Act. Requests for family/medical leave will be reviewed on a case by case basis under each applicable law. Family/medical leave shall be without pay. However, the employee may elect to exhaust all unused sick and/or vacation leave before being placed on unpaid status. The Federation and Management will develop a brochure describing when an employee is entitled to this leave. There will be no loss of seniority (for full-time Faculty and Academic Professionals and for part-time Academic Professionals) or assignment rights (for part-time Faculty) for persons on protected leave.

- 19.92 Full-time Faculty and Academic Professionals. A leave of absence without pay may be granted by the District President to the continuous appointment employee for the purpose of study, research, travel, professional employment or other appropriate purpose. Probationary employees may normally be granted a leave of absence without pay only for the purposes of recuperation from illness or personal emergency. Temporary employees are not eligible for a leave of absence without pay.
- 19.921 A full leave of absence. A full leave of absence may be granted for one, two or three terms, (or for the Academic Professional, four terms).
- 19.922 Partial leave of absence (reduced workload for one term or more). The leave of absence shall not exceed 50% of the employee's workload (as defined in Article 6) for any term. For teaching Faculty, such leave will include a pro-rated amount of non-teaching days.
- 19.923 A leave of absence, whether full or partial, shall not normally exceed one year. Normally no more than one leave of absence shall be taken in a three year period and a leave of absence shall not normally be granted for two consecutive years. A probationary appointment shall be extended for the amount of time the probationary employee is on full or partial leave of absence.
- 19.924 Salary and Benefits While on Leave
- 19.9241 Employees on a partial leave of absence, as defined in 19.922, shall receive salary, holidays, paid leaves and benefits pro-rated based on the time required in the full-time appointment, and as determined by the Human Resources Department. The employee may receive full insurance benefits provided the employee pays the difference between the pro-rated entitlement and the full premium.
- 19.9242 Employees on a full leave of absence, as defined in 19.921, shall not receive pay or College-paid benefits while on leave. Employees may continue in the College's health insurance program by paying the premiums.
- 19.9243 Employees on a leave of absence for less than one term and who are compensated for less than ten days in a month shall not receive College-paid health insurance benefits for that month. They may continue in the College's health insurance program by paying the health insurance premiums. The employee's monthly salary will be adjusted to reflect any time missed.
- 19.9244 For benefit entitlement during job sharing, see Article 12.5 of this Agreement.
- 19.925 Leaves of absence equaling one term or less per academic year shall not constitute a break in service for the purpose of salary advancement. (See Article 16.22.)
- 19.93 Part-time Faculty. Part-time Faculty may be granted up to four terms of unpaid leave for the purposes of professional development. In order to qualify for unpaid professional leave, the employee must have performed bargaining unit work for the College at least nine consecutive terms (or nine out of the previous twelve terms). There must also be at least nine consecutive terms of employment with the College since any prior professional leave. A Leave of Absence Request form will be submitted through the immediate

administrative supervisor and intermediate campus Management staff to the Campus President or Executive Officer for approval. Approved professional leave does not affect reassignment rights unless the Faculty fails to return at the end of the approved leave. Failure to return from leave will result in loss of assignment rights.

- 19.94 Political Leave of Absence. An unpaid leave of absence may be granted for an employee who is a candidate for public office for the duration of the election campaign and for the term of office (if applicable), upon timely application and for a reasonable period of time. The terms of such leave of absence shall be set forth in writing, and the leave shall not affect unfavorably the continuous appointment status of full-time Faculty or Academic Professional employees or the assignment-rights status of part-time Faculty, except that time spent on such leave shall not count as probationary service (including qualifying for assignment rights) unless otherwise agreed to. Temporary employees are not eligible for a political leave of absence.
- 19.941 An unpaid absence for an employee to serve in an elected or appointed public office shall count toward professional leave eligibility and step increase, provided the employee completes at least one term of regular employment during the year in which he/she is on political leave, or at least four out of six terms if the employee's office or appointment is on a biennial basis.
- 19.10 Leave Bank. Academic Professional Employee Leave Bank Program allows employees to donate accumulated vacation hours to other Academic Professional employees on medical leave who have exhausted their own paid leave. This is only a summary of the Program. A copy of the complete document is available from the Human Resources Office.
- 19.101 Employees Eligible to Participate. Academic Professional employees may enroll if they have completed their first year of probation, and have at least four hours of accumulated paid vacation leave.
- 19.102 Requirements for Enrollment. In order to be eligible to receive benefits from the Leave Bank, employees must donate at least 4 hours of paid leave each year during the Open Enrollment period that begins February 1 and ends March 15. An employee's enrollment is effective for the duration of the Program Year. The Program Year begins every April 1 and ends on March 31. If an employee enrolls in the Program, and then decides to discontinue in the Program, the donated hours shall not be returned to the employee. Employees completing their first year of probation may also enroll within the first 30 days of becoming eligible to participate in the Leave Bank.
- 19.103 Eligibility to Receive Donated Leave. Employees may request benefits by submitting a Leave Bank Transfer Application to Human Resources. If there are donated hours available in the Leave Bank and subject to the Program terms, an employee will receive benefits in the form of hours of paid leave if the employee:
- a. has a severe medical condition that prevents the employee from working;
 - b. has been on an approved medical leave (paid or unpaid) for at least 2 weeks;
 - c. has exhausted the employee's paid time off; and
 - d. has not been disciplined for an absence-related reason for the past 12 months.

The maximum number of hours an employee may receive from the Leave Bank in any 12 months period will be determined through Contract Administration Meetings. Other restrictions may apply. For example, if an employee receives paid hours from the

Leave Bank and he/she is later reimbursed for the same hours by an insurance company, workers' compensation or any other source, Program benefits must be repaid. A plan document is available from the Human Resources Office.

- 19.104 Amendment to Plan. Management and the Federation may agree to alter the terms of the Leave Bank Plan in Contract Administration Meetings.