

SECTION IX

LEAVE POLICIES

1. PURPOSE

The purpose of this section is to explain the various categories of leave policies available to employees of COM-FSM.

2. STATEMENT

Leaves of absence from COM-FSM are for the benefit of the employee and the College. When leave is granted, it is considered to be for legitimate reasons.

3. ANNUAL LEAVE

Annual leave with pay may be granted as vacation leave or may be granted intermittently to allow the employee time off to conduct personal business during working hours. Annual leave **request of up to 320 hours or two months** shall be approved in advance by the supervisor and campus director and/or appropriate vice president.

Limitation: Requests for annual leave beyond two months [320 hours] consecutively require the approval of the President or his designee. Requests for annual leave to attend to ill dependents must be accompanied by a physician's certification.

a. Coverage

Annual leave shall apply to all regular employees except instructional faculty members.

b. Accrual Formula for Classified Employees

Annual leave is accrued for each year of service in the College as follows:

- i 16-1/4 days per year or 5 hours per pay period for employees with less than three years of service.
- ii 19-1/4 days per year or 6 hours per pay period for employees with three but less than seven years of service.
- iii 22-1/2 days per year or 7 hours per pay period for employees with seven or more years of service.
- iv Limitation: An employee must be in full pay status for the entire pay period in order to accrue annual leave. Otherwise, there shall be no accrual for that period.

c. Accrual for Management and Professional Employees

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Management and Professional employees earn 21 days per year annual leave. It is equivalent to 6.5 hours per pay period.

- i Limitation: An employee must be in full pay status for the entire pay period in order to accrue annual leave. Otherwise, there shall be no accrual for that period.

d. Accrued Leave

Annual leave accrued during the year and unused at the end of the calendar year and the employee's contract shall be carried over to the next year or contract. Accrued annual leave may not be converted to cash, i.e., receive annual leave pay while receiving duty pay for the same period of time except as provided in Section IX.3.g. Below.

e. Advance Payment

An employee may, prior to taking annual (vacation) leave, receive advance lump sum payment for the period of leave authorized, provided that the period of such leave shall be not less than ten (10) consecutive work days. **If the employee returns to duty status prior to expiration of the leave period, the unused leave shall be restored to the employee's annual leave account.**

f. Annual Leave Upon Termination

Up to 240 hours annual leave at the time of termination shall be paid to the employee.

4. SICK LEAVE

The purpose of sick leave is to protect the employee from loss of pay due to absence from work due to illness. Sick leave **request of up to 320 hours or two months** shall be approved by the supervisor and campus director and/or appropriate vice president. Sick leave shall be granted to all regular employees under the following conditions:

- i. Is incapable of performance of duties because of sickness, injury or confinement for childbirth;
- ii. Receives a medical, dental or optical examination or treatment, or any mental examination, counseling or treatment;
- iii. Has a seriously ill spouse, child, or parent; and

Limitation: Extended sick leave to attend to ill parents, spouse or child is limited to two months [320 hours] consecutively. Requests for sick leave beyond the limitation require the approval of the President or his designee. All extended sick leave requests must be accompanied by a physician's certification.

- iv. Becomes sick while on annual leave and the period of sick leave is supported by a certificate issued by a licensed physician.

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a. Accrual Formula

Sick leave is accrued for each **year** of service in the College at 16-1/4 days per year or 5 hours per pay period.

i. Limitation

An employee must be in full pay status for the entire pay period in order to accrue sick leave. Otherwise, there shall be no accrual for that period.

b. Physician's Certification Requirements

Physician's certification is required to verify the following situations:

- i To determine the ability of the employee to continue in the service of the College.**
- ii When an employee's pattern of sick leave indicates possible misuse of sick leave, provided that the employee is so notified in advance in writing of this requirement.**
- iii To accompany request for extended annual leave to attend to ill dependents**
- iv To accompany request for extended sick leave to attend to ill dependants.**
- v To verify sick leave while on annual leave.**

c. Miscellaneous Provisions

- i Sick leave shall be accrued and carried over from year to year without limitation;
- ii Former employees of the College who are re-employed within three years of the date of separation will have their accumulated and unused sick leave at time of separation be restored to their credit; and
- iii The supervisor and the President or designee shall approve sick leave.

d. Donated Sick Leave

Donated sick leave is available to eligible employee suffering from a catastrophic health condition which has caused or is likely to cause the employee to take leave without pay. See Policy 006 – Donated Sick Leave for specific rules and procedures.

5. MATERNITY LEAVE

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Maternity leave with pay shall be granted (by the supervisor and campus director and/or appropriate vice president) to regular employees who are absent from work due to confinement for childbirth **or miscarriage after the first trimester**. This leave shall be limited to 10 workdays from date of childbirth **or miscarriage after the first trimester** and is granted without charge against the employee's accumulated sick leave or annual leave. Any leave of absence taken **prior to childbirth or in excess of maternity leave or miscarriage after the first trimester is chargeable against the employee's sick leave and/or annual leave account.**

Limitation: Leave of absence following maternity leave due to childbirth is not to exceed [3 months] 480 working hours.

6. PATERNITY LEAVE

Paternity leave with pay shall be granted (by the supervisor and campus director and/or appropriate vice president) to regular employees who are absent from work due to confinement for childbirth of spouses. This leave shall be limited to 10 working days from date of childbirth and is granted without charge against the employee's accumulated sick leave or annual leave.

7. ADMINISTRATIVE LEAVE

Administrative leave is absence from duty with pay and without charge to the employee's annual or sick leave. Administrative leave may be authorized by the President for the following reasons:

a. Judicial Duty

Attendance at a judicial or quasi-judicial proceeding where the employee has been subpoenaed to appear as a witness. However, when the appearance as an expert witness is compensated, it will be treated as leave without pay.

b. Bereavement Leave

Bereavement leave for death of a member of the immediate family (spouse or children), parents, parents-in-law, grandparents, grandchildren, siblings, not to exceed two working days per occurrence. If an employee travels out of state they may take up to five working days per occurrence.

c. Inclement Weather

Unusual weather condition when hazardous condition is announced by the appropriate government official.

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d. Personal Leave

One day of personal leave per calendar year for employees who have completed the first year probationary period.

e. Worker's Compensation

Leave due to line of duty injury per physician's recommendation.

f. Voting

Voting for public elections not to exceed two hours.

g. Community Service Leave

Volunteer work to perform a service for a community service organization or when requested to participate in a nation-wide or state-wide civic activity. Community Service Leave may not be used for any political or religious activity. (Annual leave may be used for such activities once approved).

Community Service Leave is limited to ten working days per calendar year. Departments must maintain records of the number of hours of community service leave taken by each employee.

8. LEAVE FOR STAFF DEVELOPMENT

a. In-service Staff Development

Upon recommendation of the supervisor and approval of the President, release time may be granted to employees for in-service development programs or classes.

b. Exchange Teaching

Upon recommendation of a committee to the President and approval by the President, a leave of absence with or without pay may be granted for exchange teaching not to exceed one year at a time per instructor.

c. Educational Leave

Upon recommendation of a committee and approval by the President a leave of absence with pay and benefits may be granted for professional growth to further the employee's educational background, not to exceed two years at a time per employee. The employee shall return to the College for two times the amount of time spent on the professional growth program or reimburse the College for all costs incurred during such leave of absence.

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d. Sabbatical Leave

Upon the recommendation of a committee and approval by the President sabbatical leave will be submitted to the Board of Regents for final approval. Eligible employees include members of the full-time management and faculty **members**. The purpose of Sabbatical leave is to carry out programs contributing to the benefit or improvement of the College, the students, and the individual. All eligible employees are expected to make full use of their sabbatical leave. Such leave is not granted as a reward for work already performed but rather as a means of preparing for improved service in the future.

- i Only regular employees with six continuous years of actual service are eligible for such leave.
- ii The leave must be at the convenience of the College.
- iii The program to be completed during the leave shall be determined jointly by the applicant and the President or designee and shall reflect the results of the applicant's most recent evaluation.
- iv Each semester spent on leave shall count as a semester of service in completing eligibility for the next leave.
- v An individual granted sabbatical leave shall continue to receive all College benefits.
- vi Each semester spent on leave is considered regular service relative to qualifying for advancement on the salary schedule.
- vii Persons receiving grants, fellowships or fees for professional services provided as part of a sabbatical leave program will not normally receive funds from the College which, when combined with the sabbatical salary, exceed the anticipated amount they would have received from the College during that period. Sabbatical stipends may be reduced to a point where the combination of stipend and that portion of grants or other outside fees designated solely for salary equals full salary, and this prorated amount to apply only to the semester on formal sabbatical leave. The Board of Regents may grant exceptions on a case by case basis.
- viii All work developed as a result of the sabbatical leave program belongs to and is the property of the College unless prohibited by the terms of any of the alternative funding sources listed in Section IX.7.d.vii above.
- ix A time frame shall be developed by the administration providing for leave submission dates and review procedures. This time frame shall provide for final approval by the beginning of the spring semester of the year proceeding the year of the leave except in cases where, by agreement between the College and the individual, the date may be extended.
- x Reports of experiences and/or accomplishments shall be submitted to the President before the ninth week of the semester following the return from leave.

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- xi Individuals granted leave must agree to return to the College for a minimum of one contract year after completion of their leave or reimburse the College all costs incurred during the leave.
- xii The committee on Sabbatical Leave shall consist of the various sectors of the professional staff.

9. Definitions

Spouse is either a man or woman who is of the opposite sex from the employee who are legally married to each other or not legally married to each other but are cohabiting in a relationship of some permanence.