

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 shall be approved in advance by the supervisor and the President or designee.

a. Coverage

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

b. Accrual Formula for Classified Employees

Annual leave may be 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

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. Minimum Charges

A minimum charge for annual leave is one half hour and additional charges in multiples thereof.

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 employee shall reimburse the College for any portion of such leave, which shall not have expired. The unexpired leave shall be restored to the employee's annual leave account for future use.

f. Accrual Leave

Annual leave accrued during the year and unused at the end of the 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.34.g. below.

g. Annual Leave Upon Termination

Up to 180 hours annual leave found in the employee's record 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 shall be granted to all regular employees under the following conditions:

- Is incapable of performance of duties because of sickness, injury or confinement for childbirth;
- Receives a medical, dental or optical examination or treatment, or any mental examination, counseling or treatment;
- Has a seriously ill spouse or child; and
- Becomes sick while on annual leave and the period of sick leave is supported by a certificate issued by a licensed physician.

a. Accrual Formula

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

b. 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.

c. Minimum Charge

The minimum charge for sick leave shall be one half hour and additional charges in multiples thereof.

d. Physician Certification Requirements

- i A physician's certificate may be required to determine 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, the employee may be required to provide physician certification for such illness, provided that the employee is so notified in advance, in writing of this requirement.

e. 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.

5. MATERNITY LEAVE

Maternity leave with pay shall be granted (by the supervisor and the President or designee) to regular employees who are absent from work due to confinement for childbirth. This leave shall be limited to 10 workdays from date of childbirth and is granted without charge against the employee's accumulated sick leave or annual leave. Any leave of absence taken in excess of these 10 days which is necessary for the employee's recovery from the childbirth is chargeable against the employee's sick leave and/or annual leave account. Additional conditions relative to maternity leave are listed below:

- a. Absence from duty during pregnancy may be charged against sick leave if in fact the employee was sick. Otherwise, said absence may be charged against annual leave or leave without pay.

- b. Beginning of leave of absence preceding childbirth will be determined by the employee's physician, provided that two weeks written notice shall be given to the College of the expected date of beginning of leave.
- c. Leave of absence after childbirth will end no later than the date the employee's physician gives written authorization for the employee to return to work. Two weeks notice shall be given to the College of the expected date of return to work.
- d. No maternity leave shall be granted for longer than three (3) months. Absence during this three-month period, or portion thereof, may be covered by annual leave. Otherwise, such absence will be leave without pay.
- e. College paid benefits will continue during maternity leave for a period not to exceed three (3) months.

6. ADMINISTRATIVE LEAVE

Administrative leave is absence from duty authorized administratively 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.

d. Personal Leave

One day of personal leave per contract year.

e. Worker's Compensation

Line of duty injury.

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.

7. 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.

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 staff. 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 applicants 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 preceding 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.
- 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.

