




**COMMUNICATIONS PERSONNEL
POLICY/PROCEDURE**

Policy No. 1290	Date Issued: August 4, 1994
Section: 1000 – Personnel Policies	Date Revised: January 1, 2019
Accreditation Standards:	
SUBJECT: LEAVES OF ABSENCE	
APPROVED:	 Board Chairperson

- 1.0 **Leaves of Absence in General:** The Authority recognizes that there are a number of reasons why an employee may request to take a leave of absence from his/her employment. Whether or not a leave will be granted depends on the reason underlying the need for the leave. The Authority will approve all leaves authorized by law and will approve any other legitimate leave request consistent with the operational needs of the Authority. The following rules apply to all leaves of absence:
- 1.1 All requests for a leave of absence must be made in writing to the General Manager as soon as the need for the leave is known to the employee.
 - 1.2 No combination of paid or unpaid leave shall exceed one year.
 - 1.3 A leave will commence on and include the first work day on which the employee is absent and terminate with and include the workday preceding the employee's return to work.
 - 1.4 On granting a leave of absence without pay, the conditions under which an employee will be restored to duty upon the conclusion of the leave shall be clearly stated in writing.
 - 1.5 An employee returning from an approved leave of absence without pay shall be reinstated to the employee's former position and working conditions.

- 1.5.1 In cases where a reduction in work force has occurred and/or the employee's former position has been eliminated during said leave, the employee will be returned to the position the employee would be in, had the employee not been on approved leave.
 - 1.6 An employee's status as a regular employee will not be impaired by such leave of absence and the employee's Length of Service will continue to accrue during the approved leave period.
 - 1.6.1 In the case of a probationary employee, time spent on a leave of absence without pay shall be deducted from hours of service for the purpose of the probationary period.
 - 1.7 If an employee fails to return immediately on the expiration of the employee's leave of absence, or if the employee accepts other full-time employment while on leave, the employee will thereby forfeit the leave of absence and all rights to reinstatement.
 - 1.8 An employee on a leave of absence without pay, shall not accrue vacation or sick leave benefits.
 - 1.9 An employee may, at his/her option and expense, maintain group health and insurance coverage for themselves and their dependents by providing the full monthly premium to the Authority as required by law. Group Health and insurance coverage will continue for employees on approved Family Care and Medical Leave.
- 2.0 **Bereavement Leave.** A maximum of three shifts paid Bereavement Leave shall be allowed a regular or probationary employee when there is a death in the employee's immediate family as defined by Policy No. 1010, Personnel System, paragraph 2.7.
- 2.1 If it is necessary for additional Bereavement Leave due to individual circumstances, upon request of the employee, the General Manager may approve a reasonable time charged against either the employee's Sick Leave balance, Vacation Leave balance, or Leave Without Pay for the remainder of the bereavement period.
- 3.0 **Military Leave.** The Authority abides by applicable provisions of State and Federal Law relating to Military Leave by employees.
- 4.0 **Maternity Leave.** A regular or probationary employee shall be entitled to an unpaid leave of absence of up to four (4) months for the purpose of childbirth. Maternity Leave is only available to birth mothers during their period of disability. Requests for time off by mothers and/or fathers to care for newborns or adopted children should be made under the Family Care or Medical Leave provisions.
- 4.1 A normal disability period for pregnancy has been established to be six (6) weeks after the birth of the child. Upon written medical evidence that a disability continues to exist at the end of the six-week period, an employee

shall be entitled up to four months unpaid maternity leave in accordance with State law.

- 4.2 An employee on approved Maternity Leave may use sick leave, Vacation Leave or Compensatory Time (Paid Time Off) during the period of any authorized maternity leave.
- 4.3 Employees returning from a Maternity Leave must submit medical certification of their ability to perform the essential functions of their position one week prior to their return from leave.
- 4.4 No combination of an Maternity Leave, and other forms of paid or unpaid leave may exceed one (1) year in total.
- 4.5 Upon the conclusion of approved Maternity Leave, employees shall be reinstated to the same or equivalent position, subject to the conditions described in this Policy.

5.0 Family Care or Medical Leave. In accordance with state and federal law, employees who meet the eligibility requirements shall be entitled to an unpaid Family Care or Medical leave of absence for up to 12 work weeks during any 12-month period.

- 5.1 To be eligible for Family Care or Medical Leave, employees must have worked at least 1250 hours for the Authority in the 12 months preceding the leave request.
- 5.2 The Authority will continue to provide employees Group Health Insurance Coverage during any period of approved Family Care or Medical Leave in the same manner as if the employee was working. Employees will be required to make any employee premium payments during the period of the leave.
- 5.3 Any leave of absence which is requested due to the following circumstances will be considered for Family Care or Medical Leave:
 - 5.3.1 For the birth of a child of the employee (in addition to maternity leave) the placement of an adoptive or foster child with the employee.
 - 5.3.2 To care for a child, parent or spouse of an employee who has a serious medical condition and needs the employee to provide care.
 - 5.3.3 For the employee's own serious medical condition which makes the employee unable to perform the essential functions of his/her position.
 - 5.3.4 A "serious medical condition" is an illness, injury, or impairment that involves in-patient care of more than three (3) days absence and continuing treatment or supervision from a health care provider.
- 5.4 Requests for Family Care or Medical Leave must be supported by a medical certification from the employee's or family member's medical care provider.

Employees on Family Care or Medical Leave for their own serious medical condition must provide medical certification of their ability to return to work at the conclusion of such leave.

- 5.5 Family Care or Medical Leave may be granted on an intermittent basis or reduced work schedule where this type of leave is medically necessary to care for an eligible family member or for the employee's own serious medical condition. The Authority may place an employee in an alternative schedule during any period of intermittent leave to accommodate the operational needs of the Authority.
- 5.6 Employees who desire a leave of absence beyond the time period allowed for Family Care or Medical Leave may request an extension of the Leave of Absence under Section 8, Leave of Absence Without Pay.
- 6.0 **Jury Duty.** Regular and probationary employees shall continue to receive regular salary for any period of required services as a juror, not to exceed two week per year.
 - 6.1 All monies received as witness fees or pay for jury duty, except travel, shall be surrendered to the Authority.
 - 6.2 Employees are expected to report for work when less than the normal day of jury duty is required.
- 7.0 **Family-School Partnership.** California's Family-School partnership Act allows a parent or guardian to take up to a total of 40 hours of time off each calendar year (but no more than 8 hours in one month) without pay to participate in their children's activities at school (grades K through 12) or licensed day care. The absence is subject to all of the following conditions:
 - 7.1 Employees planning to take time off for school visitations must provide as much advance notice as possible and must be approved by the employee's supervisor;
 - 7.2 Employees must use accrued vacation or compensating time off in order to receive compensation for this time off;
 - 7.3 Employees who do not have accrued vacation time or compensatory time off available will take the time off without pay.

Suspension

If an employee who is the parent or guardian of a child facing suspension from school is summoned to the school to discuss the matter, the employee should alert his or her supervisor as soon as possible before leaving work. In compliance with California Labor Code Section 230.7, no discriminatory action will be taken against an employee who takes time off for this purpose.

- Employees must use accrued vacation or compensating time off in order to receive compensation for this time off;
- Employees who do not have accrued vacation time or compensatory time off

available will take the time off without pay.

8.0 Leave of Absence Without Pay. The General Manager, in his/her discretion, may grant an employee a Leave of Absence Without Pay under urgent and substantial circumstances, for a period of up to one (1) year providing arrangements can be made to perform the employee's duties without undue interference with the normal operation of the Center.

8.1 Inability to return to work from a medical leave after an employee's sick leave and Family Care and Medical Leave has been exhausted will be considered an urgent and substantial circumstance which may warrant approval of a Leave of Absence Without Pay.

8.2 An employee returning from an approved Leave of Absence Without Pay shall be reinstated to the employee's former position and working conditions.

8.2.1 In cases where a reduction in work force has occurred and/or the employee's former position has been eliminated during said leave, the employee will be returned to the position the employee would be in, had the employee not been on an approved leave.