



**~~EMPLOYEE ILLNESS ABSENCE LEAVE~~ – *Certificated Personnel - Leaves and Absences***

The Superintendent or designee(s) may require a physician's or licensed medical practitioner's verification of an employee's claimed illness which caused an absence. Such requirement may be made for each day of illness (or part thereof) claimed by the employee.

If the employee is unable to establish proof of illness within five (5) days after returning to work, the absence will be considered unauthorized, and per diem salary of the employee will be deducted for each day of absence where the cause remains undocumented to the District's satisfaction.

*The Governing Board shall provide for paid and unpaid leaves of absence for employees in accordance with law, Board Policy, administrative regulation, and collective bargaining agreements, as applicable.*

*The Board recognizes the following justifiable reasons for employee absence:*

1. *Personal illness or injury.*
2. *Industrial accident or illness.*
3. *Family care and medical leave.*
4. *Military service.*
5. *Personal necessity and personal emergencies.*
6. *Disability leave for certificated employees in accordance with Education Code 44986.*
7. *Vacations for certificated management staff, as applicable.*
8. *Attendance at work-related meetings and staff development opportunities.*
9. *Compulsory leave.*
10. *Jury Duty.*

***Long-Term Leaves***

*With Board approval, an employee may receive a leave of absence, without pay and without accruing seniority or service credit, for a period of up to one school year. Applications for long-term leave shall be made in writing to Human Resources and shall state the purpose for which leave is requested. All long-term leave agreements shall be in writing and shall state the terms and conditions of the leave, including the conditions governing the employee's return.*

*At the end of a long-term leave, the employee shall be reinstated to a similar position as that held at the time leave was granted, unless otherwise agreed upon.*

*The Board shall consider any written request by an employee to return to work prior to the expiration date of the leave.*

#### *Administrative and Supervisory Personnel*

*Certificated administrative and supervisory employees who are not subject to the District's bargaining agreement for certificated employees shall generally be entitled to those leave provisions provided in the bargaining agreement for other certificated employees unless otherwise specified in individual contract, memorandums of understanding, Board Policy, administrative regulation, or law.*

#### *Legal Reference:*

##### *EDUCATION CODE*

*22850-22856 Pension benefits, STRS members on military leave*

*44018 Compensation for employees on active military duty*

*44036-44037 Leaves of absence for judicial and official appearances*

*44043.5 Catastrophic leave*

*44800 Effect of active military service on status of employees*

*44842 Failure to provide notice or to report to work*

*44940 Sex offenses and narcotic offenses; compulsory leave of absence*

*44962-44988 Leaves of absence (certificated)*

*45059 Employee ordered to active military/naval duty, computation of salary*

##### *FAMILY CODE*

*297-297.5 Registered domestic partner rights, protections and benefits*

##### *GOVERNMENT CODE*

*12945.1-12945.2 California Family Rights Act*

*20990-21013 Pension benefits, PERS members on military leave*

##### *LABOR CODE*

*230-230.2 Leaves for victims of domestic violence, sexual assault or specified felonies*

*230.3 Leave for emergency personnel*

*230.4 Leave for volunteer firefighters*

*230.8 Leave to visit child's school*

*233 Illness of child, parent, spouse or domestic partner*

##### *MILITARY AND VETERANS CODE*

*395-395.9 Military leave*

*395.10 Leave when spouse on leave from military deployment*

##### *UNITED STATES CODE, TITLE 29*

*2601-2654 Family and Medical Leave Act of 1993*

##### *UNITED STATES CODE, TITLE 38*

*4301-4334 Uniformed Services Employment and Reemployment Rights Act of 1994*

*Policy Adopted: February 13, 1974*

*Reviewed: August 2004*

*Policy Revised:*