

Leaves

Leaves with Pay (p.)

Leaves Without Pay (p.)

Leaves with Pay

1. Sick Leave

After a 90-day probationary period, each employee earns one day of paid sick leave per month for a total not to exceed 12 sick days per year. Paid sick leave may be accumulated up to a maximum of 120 days. Paid sick leave is applicable to the personal illness of the employee. After three consecutive days, the University may require a physician's Return to Work Certification. The completion of this form will also be required after an employee has been hospitalized for any period of time. This form is available through the Human Resources Web Page. Upon termination of employment, no payment will be made for unused sick leave.

Absence from work due to illness in the immediate family may be charged to sick leave upon the request of the administrator. #Immediate family# is normally defined as referring to members residing in the household. There may be unusual situations that could be acceptable as exceptions to this limitation. The judgment of the appropriate Vice President or Director of Human Resources would be used in making the final decision on exceptions. The administrator should request and receive approval prior to beginning to make use of this provision.

Employees are entitled to leave under the provisions of the California Family Rights Act and the Federal Family and Medical Leave Act for a period of up to 12 workweeks during any 12-month period. To be eligible for this leave, an employee must have at least one year of service and have worked at least 1,250 hours in the immediate past 12 months prior to the leave commencing. This leave will be available for persons with a serious health condition that makes the employee unable to perform the function of his or her job. This leave may be taken on an intermittent or reduced leave schedule when it is determined that is medically necessary. If the leave is for a serious health condition of the employee and is foreseeable, the employee will give the University as much notice as is practicable.

Except to the extent that the employee has available paid sick leave, such leaves will be without pay. However, if the employee has available vacation pay, such vacation pay will be utilized during this leave after any paid available sick leave has been exhausted. The University may require that any leave requested for a serious health condition of the employee be supported by a certification issued by the health care provider for the employee.

2. Bereavement

In the event of a death in an administrator or staff member's immediate family (spouse, children, parents, siblings, mother-in-law, father-in-law, grandparent, grandchildren or any other relative living in the family household), bereavement leave of up to five days may be granted with pay. Individuals who are required to travel out of state may be granted up to three additional days with pay. Bereavement leave is charged against the employee's sick leave accrual.

3. Jury Duty

California Lutheran University believes that the employees should meet civic responsibilities and urges one to serve on city, state and federal juries, if and when summoned. For this purpose, a leave of absence with full pay is granted by the University for a period of up to two weeks (ten working days) provided that reasonable advanced notice of one's obligation to serve is given. One may also keep any jury fees received. It is expected that employees called for jury duty will make an effort to keep up with their work after adjournment of the court each day.

4. Military Service – Active Duty

- a. Faculty members on tenure who are drafted for military service will hold their rights, and will be granted a leave of absence consistent with applicable law.
- b. If faculty members on tenure volunteer for military service, their employment and rights are terminated, unless they formally request the University for protection of their rights. The best interests both of the University and the individual will then be considered in acting on such requests.
- c. If a faculty member not on tenure is drafted or volunteers for military service, the leave will be granted consistent with applicable law.

5. Military Service – Reserve Duty

Two weeks of leave without pay will be allowed, annually, to a faculty member who, as a member of the military reserve or the National Guard, is required to be on active duty during the regular academic year.

Leaves Without Pay

All leaves of absence will be considered on their individual merits. Such leaves may not guarantee one's return to the same position.

Employee's benefits paid by the University will continue for up to three months while on unpaid leave status. After the conclusion of the three months on unpaid leave status, employees are required to pay their own insurance premiums through COBRA.

Leaves must be approved by both supervisor and appropriate Vice President.

Leaves which qualify under the Family Medical Leave Act or California Family Rights Act will provide for guaranteed return to work, so long as the leave does not exceed 12 weeks.

1. Maternity Leave of Absence

Employees who are temporarily disabled and unable to work due to pregnancy related disability would be granted a maternity leave of absence without pay for the period of the disability, provided such a period should not exceed four months. The University integrates State Disability Insurance (S.D.I.) with sick leave and vacation.

Maternity leaves will be granted on the basis of a physician's written statement that an employee is no longer able to work due to a pregnancy-related disability.

An employee who is granted a maternity leave of absence will be entitled, in addition to four months, to utilize any accrued sick leave and/or vacation benefits during the period of disability or long term disability for which the employee may be eligible.

Employees planning to take a maternity leave must submit a written request to the Human Resources Office and a physician's statement. This physician's statement shall give the University reasonable notice of the date the leave will commence, the estimated duration of the leave, and the expected return to work date. The employee must inform the University of the disability as soon as the employee becomes aware. The employee's physician must advise the University of the employee's ability to continue working through the pregnancy until the anticipated date of leave. Employees returning to work after a maternity leave must have a written release from a physician verifying that they are able to return to work and safely perform their duties. Employees must use the Return to Work Certification Form to obtain a physician's release. This form is available through the Human Resources Web Page.

The employee must keep the University informed at least every 30 days during the maternity leave as to the status of their disability as well as the employee's intent to return to work upon recovery from the disability. Employees on a maternity leave of absence are not eligible to accrue vacation or sick pay while on leave, nor are they eligible to receive paid holiday benefits. At the conclusion of the employee's maternity leave, the University will reinstate the employee to the same or substantially equivalent position.

In the event that the University cannot immediately reinstate the employee for business reasons, the employee will be placed on a preferential hiring list and reinstated to the same or a substantially equivalent position at such time as a position becomes available.

Time taken as maternity leave under this provision shall not be credited against leave provided under either the Family Medical Leave Act or the California Family Rights Act.

2. Family Care Leave

Under the California Family Rights Act (FRA) and the Federal Family and Medical Leave Act (FMLA), any employee with 12 months of service and who has worked at least 1,250 hours in the immediate past twelve months, is eligible for a Family Care Leave under the terms of this policy.

Employees are entitled to a leave of up to 12 weeks in any 12-month period for the following purposes:

- a. for the birth of a son or daughter of the employee and in order to care for such son or daughter;
- b. for the placement of a son or daughter with the employee for adoption or foster care; (Eligibility for a leave for the birth or placement for adoption or foster care of a son or daughter expires at the end of the twelve month period beginning on the date of the birth or the placement of the child.)
- c. for the care of a spouse, son, daughter or parent of the employee who has a serious health condition.

3. Foreseeable Leave

For a leave for the birth or placement of a son or daughter in which the necessity for the leave is foreseeable based on an expected birth or placement, the employee shall provide the University with not less than 30 days notice before the leave is to begin, unless there are unforeseen circumstances which preclude the 30 days notice and then the employee should give the University as much notice as is possible.

For a leave for a serious health condition of the employee's spouse, son, daughter or parent in which the necessity for a leave is foreseeable based upon a planned medical treatment, the employee shall make a reasonable effort to schedule such treatments so as not to disrupt the University's operations subject to the cooperation and approval of the health care provider for the person with the serious health condition, and the employee shall provide the University with 30 days notice prior to the commencement of a leave except in the event that circumstances prevent such notice and then employee is to provide as much notice as is practicable. Intermittent leave or reduced leave schedule may be taken in order for the employee to attend to the serious health condition of a spouse, son, daughter or parent when medically necessary.

4. Certification of a Serious Health Condition

A serious health condition is defined under the law as an illness, injury or impairment of physical or mental condition that involves in-patient care in a hospital, hospice or residential medical care facility or continuing treatment by a health care provider. It also may involve a period of incapacity whereby the individual is absent from work, school or other regular daily activity for more than three calendar days and also involves a continuing treatment by a health care provider.

The University may require that the leave for a serious health condition of an employee's spouse, son, daughter or parent be supported by a certification issued by the health care provider of the person with the serious health condition.

Employees returning to work after a leave must have a written release from a physician verifying they are able to return to work and safely perform their duties. Employees must use the Return to Work Certification Form to obtain a physician's release. This form is available through the Human Resources Web Page.

5. Coordination of Leaves and Benefits

In relationship to other leave policies, employees taking family care leave will be required to use all available vacation entitlement during the family care leave.

After all available vacation pay has been exhausted, absence from work due to illness in the immediate family may be charged to sick leave pay upon the request of the employee. Immediate family is normally defined as referring to members residing in the household. There may be unusual situations that could be acceptable as exceptions to this limitation. The appropriate Vice President or Director of Human Resources shall make the final decision on exceptions. After all pay entitlements under the provisions of other University leave policies have been exhausted, the remainder of the leave will be unpaid.

6. Time Off to Visit Child's School

Each employee of California Lutheran University shall be allowed up to four hours of excused absence per child per school year for purposes of visits to the child's school. A request for an excused absence should be made to the employee's supervisor as soon as the employee is aware of the need to visit the child's school. This policy relates to child in kindergarten through grade 12. A child shall include natural, adopted, foster, stepchild or legal ward living with or apart from the employee. The University reserves the right to request written confirmation from the school with respect to the date of such visit.