
Note: For College District contribution to employee insurance during leave, see CKD(LOCAL). For additional provisions addressing the Family and Medical Leave Act (FMLA), see DECA(LEGAL).

**Leave
Administration**

The College President or designee shall develop administrative regulations associated with employee leaves and absences and ensure the procedures are used to implement the provisions of this policy.

Definitions

The term “immediate family” is defined as:

Immediate Family

1. Spouse.
2. Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands *in loco parentis*.
3. Parent, stepparent, parent-in-law, or other individual who stands *in loco parentis* to the employee.
4. Sibling, stepsibling, and sibling-in-law.
5. Grandparent and grandchild.
6. Any person residing in the employee’s household at the time of illness or death.

For purposes of the FMLA, the definitions of spouse, parent, son or daughter, and next of kin are found in DECA(LEGAL).

Family Emergency

The term “family emergency” shall be limited to disasters and life-threatening situations involving the employee or a member of the employee’s immediate family.

Leave Day

A “leave day” for purposes of earning, use, or recording of leave shall mean the number of hours per day equivalent to the employee’s usual assignment, whether full-time or part-time.

Academic Year

An “academic year” for purposes of earning, use, or recording of leave shall mean the term of an employee’s annual employment as set by the College District for the employee’s usual assignment, whether full-time or part-time.

Catastrophic Illness
or Injury

A catastrophic illness or injury is a severe condition or combination of conditions affecting the mental or physical health of the employee or a member of the employee’s immediate family that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned by that employee and to lose compensation from the

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College District. Such conditions typically require prolonged hospitalization or recovery or are expected to result in disability or death. Conditions relating to pregnancy or childbirth shall be considered catastrophic if they meet the requirements of this paragraph.

Earning Leave

An employee shall not earn any form of paid leave when the employee is in unpaid status. An employee using full or proportionate paid leave shall be considered to be in paid status.

Deductions

Leave Without Pay

The College District shall not approve paid leave for more leave days than have been accumulated in prior years plus leave currently available. Any unapproved absences or absences beyond accumulated and available paid leave shall result in deductions from the employee's pay.

Leave Proration

*Employed for
Less Than Full
Year*

If an employee separates from employment with the College District before the employee's last scheduled workday, or begins employment after the first scheduled workday, paid leave shall be prorated based on the actual time employed.

If an employee separates from employment before the last scheduled workday of the academic year, the employee's final paycheck shall be reduced for paid leave the employee used, but had not earned, as of the date of separation.

*Employed for Full
Year*

If an employee uses more paid leave than he or she earned and remains employed with the College District through his or her last scheduled workday, the College District shall deduct the cost of the excess leave days from the employee's pay in accordance with administrative regulations.

Medical Certification

An employee shall submit medical certification of the need for leave if:

1. The employee is absent more than three consecutive workdays because of personal illness or illness in the immediate family;
2. The College District requires medical certification due to a questionable pattern of absences or when deemed necessary by the supervisor or College President; or
3. The employee requests FMLA leave for the employee's serious health condition; for a serious health condition of the employee's spouse, parent, or child; or for military caregiver leave.

In each case, medical certification shall be made by a health-care provider as defined by the FMLA. [See DECA(LEGAL)]

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Sick Leave

Each full-time employee shall earn eight hours of paid sick leave per month in accordance with administrative regulations.

Sick leave shall accumulate without limit.

Sick leave shall only be used after any applicable compensatory time has been exhausted for the following:

1. Illness of the employee.
2. Illness of a member of the employee's immediate family.
3. Family emergency.
4. Birth or placement of a child when taken within the first year after the child's birth, adoption, or foster placement.

Sick Leave Pool

The College District shall establish a sick leave pool to provide additional paid sick leave to members of the pool in the event of a catastrophic illness. All regular, full-time employees who have worked for the College District at least 180 days shall be eligible to participate in the pool. The pool shall be funded on an annual basis and shall be administered in accordance with the sick leave pool handbook. The handbook may be amended as recommended by a sick leave pool committee and approved by the College President.

**Leave for Certain
Law Enforcement
and EMS Personnel**

Mental Health
Leave

A College District peace officer or a full-time telecommunicator, as defined by law, who experiences a traumatic event in the scope of employment shall be granted a maximum of 15 days of mental health leave per traumatic event. Such leave shall be provided in accordance with administrative regulations and shall not be deducted from the employee's pay or leave balance.

The College President shall develop regulations regarding mental health leave that address the following:

1. Circumstances or reasons under which an eligible employee may use mental health leave;
2. Procedures for requesting mental health leave and maintaining the anonymity of the requester;
3. The administrator authorized to approve requests for mental health leave; and
4. Other procedures deemed necessary for administering this provision.

Quarantine Leave

A College District peace officer or an emergency medical technician on staff shall be granted quarantine leave when ordered by the local health authority or the person's supervisor to quarantine or isolate due to possible or known exposure to a

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communicable disease while on duty. Such leave shall be provided in accordance with administrative regulations and shall not be deducted from the employee's pay or leave balance.

The College President shall develop regulations regarding quarantine leave that address the following:

1. Continuation of all employment benefits and compensation for the duration of the leave;
2. Reimbursement for reasonable costs related to the quarantine; and
3. Other procedures deemed necessary for administering this provision.

Line of Duty Illness
or Injury Leave

Following a leave of absence with full pay as required by law, the College District shall not extend the leave of absence for a police officer's or emergency medical services personnel's line of duty illness or injury. In accordance with law, an eligible employee may use accumulated leave.

**Family and Medical
Leave**

FMLA leave shall run concurrently with applicable paid leave or compensatory time, as applicable.

Twelve-Month
Period

For purposes of an employee's entitlement to FMLA leave, the 12-month period shall be the College District's fiscal year.

Combined Leave for
Spouses

When both spouses are employed by the College District, the College District shall limit FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition, to a combined total of 12 weeks. The College District shall limit military caregiver leave to a combined total of 26 weeks.

Intermittent or
Reduced Schedule
Leave

The College District shall permit use of intermittent or reduced schedule FMLA leave for the care of a newborn child or for the adoption or placement of a child with the employee.

Certification of
Leave

When an employee requests leave, the employee shall provide certification, in accordance with FMLA regulations, of the need for leave.

Fitness-for-Duty
Certification

In accordance with administrative regulations, when an employee takes FMLA leave due to the employee's own serious health condition, the employee shall provide, before resuming work, a fitness-for-duty certification.

Personal Leave

An employee who is eligible for sick leave may use 32 hours of paid sick leave per fiscal year to conduct personal business in accordance with administrative regulations.

Personal leave shall be noncumulative.

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Request for
Personal Leave

The employee shall submit a written request for use of personal leave to the employee's immediate supervisor or designee in advance in accordance with administrative regulations. In deciding whether to approve or deny personal leave, the supervisor or designee shall not seek or consider the reasons for which an employee requests to use leave. The supervisor or designee shall, however, consider the effect of the employee's absence on the educational program or College District operations.

Earned compensatory time shall be used before any available personal leave.

Vacation Leave

Each regular, full-time, 12-month employee shall earn 80 hours of paid vacation per fiscal year in accordance with administrative regulations.

Vacation leave shall carry forward an accumulated maximum of 160 hours per fiscal year.

Request for
Vacation Leave

The employee shall submit a written request for use of vacation leave to the employee's immediate supervisor or designee in advance in accordance with administrative regulations. In deciding whether to approve or deny vacation leave, the supervisor or designee shall consider the effect of the employee's absence on the educational program or College District operations.

Earned compensatory time shall be used before any available vacation leave.

Termination

Employees who terminate their employment at the College District shall be paid their unused vacation time not to exceed two years' accrual. The payout will be calculated at the employee's rate of pay in effect at the time of separation. Vacation time paid upon termination of employment shall be paid from the current year's salary budget, and the position vacated by the terminating employee shall be kept vacant until the paid vacation time is recovered.

Staff-to-Faculty
Transition

Employees who separate from a staff position for the purpose of transitioning into a less than 12-month faculty position with the College will be considered separated from their staff role for leave purposes. This does not apply to staff members who transition into a temporary faculty appointment. Upon this separation, any accrued but unused vacation leave earned in the staff position will be paid out in accordance with the College's vacation payout provisions (not to exceed 160 hours). The payout will be calculated at the employee's rate of pay in effect in the staff position at the time of separation. Vacation leave does not transfer from a staff position to a less than 12-month faculty position.

12-month Faculty-
to-Less than 12-
Month Faculty
Transition

Compensatory time earned but unused upon transitioning from an hourly staff position will be paid out. The payout will be calculated at the employee's rate of pay in effect at the time of separation. Earned compensatory time does not transfer from an hourly staff position to any other position.

Faculty who separate from a 12-month faculty position for the purpose of transitioning into a less than 12-month faculty position with the College will be considered separated from their 12-month faculty role for leave purposes. Upon this separation, any accrued but unused vacation leave earned in the 12-month faculty position will be paid out in accordance with the College's vacation payout provisions (not to exceed 160 hours). The payout will be calculated at the employee's rate of pay in effect in the 12-month faculty position at the time of separation. Vacation leave does not transfer from a 12-month faculty position to a less than 12-month faculty position.

Development Leave

A faculty member [see definition at DEC(LEGAL) Development Leaves of Absence] may be granted faculty development leave for study, research, writing, field observations, or other suitable purpose.

Eligibility

To qualify for development leave, a faculty member must serve at least three consecutive academic years performing full-time academic duty as an instructor or as an assistant, associate, or full professor, or an equivalent rank. The work need not include teaching.

Alternatively, the faculty member may qualify for development leave as an administrator if the faculty member has had significant administrative duties relating to the operation of the College District for more than four years.

Application

To be granted development leave for the subsequent academic year, a faculty member must apply to the College President by March 1 on a signed and dated form created by the administration. The application shall contain:

1. The requested effective date and duration of leave.
2. A description of the specific purpose for which the leave is requested.

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3. An explanation as to how the leave is consistent with the mission and purpose of the College District and the benefit of the leave to the College District.
4. An assurance that the faculty member intends to return to the College District following the completion of the development leave to serve for a period equal to the amount of time the faculty member received for development leave, if approved, and that, if the faculty member does not return, the employee shall repay the College District for any benefits paid to or on behalf of the employee during the leave period.
5. Any other information deemed appropriate by the College President.

Approval Procedure A development leave committee shall be elected annually from the general faculty membership on a date determined by the College President to be no later than the application deadline. The committee shall be composed of 10 members and shall elect a chair during the first meeting. The chair shall be responsible for scheduling and presiding over each meeting of the committee.

After reviewing the applications for development leave, the committee chair shall forward the committee's recommendation to the College President. After review of the committee's recommendation, the College President shall make a recommendation as to which applications should be granted for consideration at a Board meeting to occur before the end of the spring semester. No more than six percent of the College District's faculty members may be on development leave at any one time.

The College President shall inform the applicants of the final determination by the Board.

Duration and Compensation Development leave shall be for one academic year at one-half of the faculty member's regular salary or for one-half academic year at full regular salary.

Exception If the faculty member qualifies for development leave as an administrator, the Board may grant development leave at the faculty member's full, regular salary for one year.

Outside Employment A faculty member granted development leave is prohibited from accepting employment with another employer without permission of the Board.

Return to Work The faculty member must agree to return to the College District following the conclusion of the development leave to serve for a period equal to the amount of time the faculty member received for development leave and if not, to repay the College District for any

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benefits paid to or on behalf of the faculty member during the leave period.

Report

Upon returning from development leave, the faculty member must report to the Board in writing regarding whether the purpose of the leave was fulfilled with a description regarding the manner in which it was fulfilled or if it was not fulfilled, the reasons why the leave was not fulfilled.

Bereavement Leave

A full-time employee shall be granted up to three days of paid bereavement leave upon the death of a member of the employee's immediate family. Bereavement leave shall be noncumulative.

With the approval of the supervisor, a maximum of two additional days may be deducted from sick leave. The supervisor shall consider arrangements to be made, travel to, and attendance at the funeral in determining the amount of time to approve within the above maximums.

Vacation days and/or leave without pay shall be used for absences for bereavement leave to attend funerals that do not qualify for approved bereavement leave. Part-time and temporary employees may be excused from work because of the death of a family member as stated above, but such absence shall be without pay.

Workers' Compensation

Note: Workers' compensation is not a form of leave. The workers' compensation law does not require the continuation of the College District's contribution to health insurance.

An absence due to a work-related injury or illness shall be designated as FMLA leave.

Paid Leave Offset

The College District shall permit the option for paid leave offset in conjunction with workers' compensation income benefits. An eligible employee may elect in writing to use available partial-day increments of paid leave to make up the difference between the employee's income benefits and the pre-injury wage. [See CKE]

Court Appearances

Absences due to compliance with a valid subpoena or for jury duty shall be fully compensated by the College District and shall not be deducted from the employee's pay or leave balance.

Payment for Accumulated Leave Upon Retirement

Full Payment

Upon retirement, a College District employee shall be entitled to receive 100 percent of his or her accumulated sick leave, up to a maximum of 720 hours based on the employee's current salary and under the following conditions:

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1. The employee has been employed on a full-time basis at the College District for a minimum of 10 years and has reached his or her 65th birthday at the time of retirement;
2. The employee has been employed on a full-time basis at the College District for a minimum of 10 years and has at least 30 years of Texas Service Credit under the Teacher Retirement System (TRS), Employee Retirement System, Optional Retirement Program, or a combination thereof; or
3. The employee has a disability that meets the applicable requirements for disability retirement under TRS.

Partial Payment A College District employee who has reached his or her 55th birthday and who has been employed by the College District on a full-time basis for a minimum of 10 years shall be entitled to receive 50 percent of the employee's accumulated sick leave, not to exceed 360 hours or 45 workdays based on the employee's salary at the time of retirement.

Payment of Leave Upon Death For all intents and purposes of this policy, a College District employee who dies while employed at the College District and who was otherwise eligible to receive this benefit shall be considered as having retired, and the employee's estate shall be entitled to payment of accrued sick leave as provided herein.

Calculation of Hourly Salary Rate For the purpose of determining the amount of accrued sick leave to be paid upon retirement, the hourly salary rate shall be calculated as follows:

1. The annual salary for the retiring employee's grade/level and step listed in the appropriate current salary schedule shall be divided by the number of annual working hours specified below to arrive at the hourly salary rate.
2. Full-time employees paid from the administrative/professional/technical salary schedule or the classified salary schedule shall be considered to be employed for 2,080 hours in a fiscal year, including holidays.
3. Full-time employees paid from the faculty salary schedule shall be considered to be employed for 1,560 hours in a fiscal year, including holidays.

Leaves of Absence The College District, with the College President's approval, may grant leaves of absence from work assignments to employees after such requests are submitted in writing to their immediate supervisors. Employees on leave may arrange to continue insurance coverage at their personal expense.

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Leaves of absence without pay may be granted for reasons related to professional development or for approved time periods beyond accumulated sick leave.