GENERAL PERSONNEL POLICIES

7000.7  The term "classified employee" includes all employees serving in positions not requiring certification qualifications in accordance with the provisions and definitions in Education Code Section 88003.

7000.8  The term "bargaining unit employee" includes all classified employees serving in positions designated as within the bargaining unit covered by the collective bargaining agreement between the District and the exclusive representative(s) of such employees.

7000.9  The term "confidential employee" includes all classified employees serving in positions designated as confidential positions as defined in Government Code 3540.1.

7000.10 The term "temporary employee" includes all employees who are employed "as needed" on a day-to-day or hour-to-hour basis.

7000.11 The term "substitute employee" includes all employees who are employed on an "as needed" basis to perform the duties of a District employee(s) who is on any type of leave of absence or temporary reassignment.

7000.12 The term "workday" means a day when the Office of the President/ Superintendent is open for business except as defined in other Board Policies.

7000.13 The "operational week" of the District shall begin Sunday morning at 12:01 AM and shall consist of seven consecutive 24-hour operational days, each beginning at 12:01 AM.

7002  NOTIFICATION OF CHANGE OF NAME, ADDRESS AND TELEPHONE NUMBER

Upon employment, each employee shall provide the Personnel Services Office, his/her correct residence address, and, if different, his/her correct mailing address and telephone number. Changes of employee name, street and/or post office box, address and telephone number shall be reported in writing to the Personnel Services Office within ten (10) working days of the change.

7004  SEPARATION FROM SERVICE

Employment is predicated on satisfactory work performance. Continued employment of any probationary, substitute, or temporary academic or classified employee, is contingent upon acceptable work performance. The continued employment of permanent employees is contingent upon the applicable provisions of the Education Code.
LEAVES OF ABSENCE

The Board of Trustees may grant leaves of absence to persons employed by the Cerritos Community College District. (Education Code Sections 87765 and 88190)

SICK LEAVE

(NOT APPLICABLE TO BARGAINING UNIT EMPLOYEES - REFER TO THE COLLECTIVE BARGAINING AGREEMENT.)

7009.1 The District may require written proof of illness from a licensed physician from an employee for any absence due to illness reasons. If the employee is a member of a religious denomination which authorizes evidence of treatment and the need thereof by means of other than a physician, then such evidence shall be accepted in lieu of a physician's statement.

7009.2 The District may require an employee absent for any illness or injury to submit a full and unlimited written medical release from a physician prior to being permitted to return to work. Such medical release must be from a physician treating the employee for the medical condition for which the employee has been on leave, and verify the date the employee is released to return to work and the employee's ability to perform all of the required duties of his/her same position without any restriction(s).

7009.3 An employee, while on an unpaid leave-of-absence shall maintain any prior sick leave which may have been accumulated, but shall not accumulate any additional sick leave during the period of such leave.

7009.4 Accumulated sick leave shall be reinstated for permanent employees who terminate employment from the District and are re-employed within 39 months of last day in paid status.

7009.5 If an employee does not take the full amount of sick leave allowed in any school year, the amount not taken shall be accumulated from year to year. (Education Code Sections 87781 and 88191)

7009.6 The District may require an employee who is absent for illness or injury to submit to medical examination(s) by a physician selected by the District. The District may also require such examination(s) if there is concern on the District's part about an employee's ability to perform the required duties of employment due to any illness or injury. Such examination(s) shall be at the District's expense.

MATERNITY LEAVE

(NOT APPLICABLE TO BARGAINING UNIT EMPLOYEES - REFER TO THE COLLECTIVE BARGAINING AGREEMENT.)
Disability due to pregnancy will be treated as any other temporary disability under the District sick leave policies. Application for a personal leave-of-absence without pay must be made if employee desires time off in addition to the disability period.

**7011 LEAVE FOR BIRTH OF CHILD**
(NOT APPLICABLE TO BARGAINING UNIT EMPLOYEES - REFER TO THE COLLECTIVE BARGAINING AGREEMENT.)

All employees shall be allowed one day leave-of-absence from duty on full pay when such absence is occasioned and is necessary on account of the birth of a child to the wife of said employee or to the daughter or daughter-in-law of said employee.

**7012 LEAVE FOR DEATH IN FAMILY**
(NOT APPLICABLE TO BARGAINING UNIT EMPLOYEES - REFER TO THE COLLECTIVE BARGAINING AGREEMENT.)

All employees shall be granted necessary leave-of-absence from duty with full pay for death in the employee's immediate family. Such leave shall not exceed three (3) working days (school holidays excluded) except if 200 miles one-way travel from campus is required in which case five (5) working days will be granted.

**7013 INDUSTRIAL ACCIDENT OR ILLNESS LEAVE**
(NOT APPLICABLE TO BARGAINING UNIT EMPLOYEES - REFER TO THE COLLECTIVE BARGAINING AGREEMENT.)

7013.1 Any employee who is absent because of injury or illness which arose out of and in the course of his/her employment and for which he/she is receiving temporary disability benefits under Workers' Compensation laws of the State of California, shall not be entitled to receive wages or salary from the District which, when added to the temporary disability benefits, will exceed a full day's wages or salary. During such periods of temporary disability, sick leave, vacation or other available paid leave, used in conjunction with temporary disability benefits derived from Workers' Compensation, shall be reduced only in the amount necessary to provide a full day's wages or salary when added to the temporary disability benefits. Available leave benefits, less retirement or other authorized deductions, will be paid by the District. Said paid leave shall not exceed sixty (60) days.

7013.2 An employee shall be permitted to return to service after an industrial accident or illness only upon the presentation of a release from a physician designated by
the District, at the expense of the District, verifying the employee's ability to return to work in his/her same position without any restrictions or detriment to the employee's physical and/or mental well-being.

**7014 PERSONAL NECESSITY LEAVE**

(Not applicable to bargaining unit employees - refer to the collective bargaining agreement.)

(Reference: Education Code Sections 87784, 87781.5 and 88207)

7014.1 Leave of absence for personal necessity shall be granted to eligible employees.

7014.2 A maximum of six (6) days (or 48 hours) of leave-of-absence for illness or injury earned pursuant to Education Code Sections 87781 or 88191 may be used by an employee in any one school year, with advanced approval of his/her immediate manager, in cases of personal necessity, including any of the following:

a. Death of a member of his/her immediate family. The definition of immediate family as stated in Board Policy is applicable to this section.

b. An accident involving the employee's person or property, or the person or property of a member of the employee's immediate family. The immediate family as stated in Board Policy is applicable to this section.

c. An appearance of the employee in court as a litigant other than a suit against the District. An appearance of the employee as a witness other than as a witness called by a party adverse to the District, whether pursuant to subpoena or not. The employee is expected to return to work in cases in which he/she is not required to be absent the entire day.

d. In cases of personal necessity in which the employee cannot reasonably be expected to disregard the situation, or in which the necessity cannot be resolved outside the employee's assigned working hours; necessities included under this section may be:

1) Illness of a member of the immediate family.

2) Birth of the employee's child.

3) Imminent danger to the home of the employee.

4) Personal business.

7014.3 Payment for such absences shall be made upon reasonable verification by the employee that the absence was due to a personal necessity as defined in this policy as requested by the District.
7014.4 In case the absence is due to subpoena or an official order, the employee must provide verification from a certified clerk or authorized officer of a court or other governmental jurisdiction. Such leave may be taken in minimum increments of one-half day.

7014.5 Personal necessity leave will not be approved for any of the following:

1) political activities or demonstrations;
2) vacation, recreation, or social activities;
3) civic or other organization activities;
4) employee association activities;
5) routine personal activities;
6) occupational investigation.

7016 LEAVES OF ABSENCE WITHOUT PAY (PERSONAL REASONS)
(NOT APPLICABLE TO BARGAINING UNIT EMPLOYEES - REFER TO THE COLLECTIVE BARGAINING AGREEMENT.)

7016.1 Leaves of absence without pay for personal reasons up to and including five (5) workdays may be allowed upon the approval of the employee's immediate manager and appropriate Vice President or President/Superintendent.

7016.2 Leaves of absence without pay for personal reasons, which are greater than five (5) workdays are subject to the approval of the Board of Trustees. The length of the leave is subject to the approval of the Board of Trustees, but shall not exceed one calendar year. Applications for extensions for unusual situations for up to a one calendar year period may be requested for consideration by the Board of Trustees.

7016.3 Employees requesting leaves of absence without pay for personal reasons must provide the District the reason for such leave.

7016.4 If an employee is granted a leave of absence without pay for greater than one (1) calendar month, the District will not pay the premiums for District-paid health and welfare benefits. The benefits, however, continue until the end of the calendar month in which the employee last rendered time in a paid status. Upon return to paid status the employee qualifies for reinstatement to District-paid health and welfare benefit programs in accordance with eligibility rules for new employees.
7016.5 The employee, if he/she desires to be covered by his/her group health and welfare benefit plans, may pay the premiums monthly thereafter until he/she has returned to service in a paid status.

7016.6 The District shall not pay an employee's District-paid health and welfare benefits during leaves of absence without pay that are for medical reasons. The District will require the employee to provide proof of illness or injury for such leave as prescribed in the District's General Sick Leave policies.

7017 **UNAUTHORIZED LEAVE/ABANDONMENT OF POSITION**
(NOT APPLICABLE TO BARGAINING UNIT EMPLOYEES - REFER TO THE COLLECTIVE BARGAINING AGREEMENT.)

7017.1 An employee who is absent from work other than time absent from duty as authorized by the District is considered on an unauthorized leave, which constitutes a breach of the employment relationship.

7017.2 An employee on an unauthorized leave will be notified in writing by the District of the breach of the employment relationship.

7017.3 The District will deduct an appropriate amount from the employee's salary for all time absent from duty on unauthorized leave and the employee shall be so notified in writing. The employee will also have District-paid health benefits terminated on the last day of the month in which the unauthorized leave of absence occurs.

7017.4 An employee who is absent on unauthorized leave for a period of five (5) or more consecutive working days of his/her assignment is considered to have abandoned his/her position.

7017.5 An employee who abandons his/her position shall be subject to disciplinary action including but not limited to suspension, demotion, and/or dismissal from employment as deemed appropriate by the District.

7018 **HOLIDAYS**
(NOT APPLICABLE TO BARGAINING UNIT EMPLOYEES - REFER TO THE COLLECTIVE BARGAINING AGREEMENT.)

7018.1 All classified, management, and confidential employees are entitled to the following holidays with pay:

- New Year's Day
- Dr. M. L. King Jr. Day
- Lincoln's Birthday
- Washington's Birthday
Friday (week of Spring Recess) (Board Approved)
Memorial Day
Independence Day
Labor Day
Admissions Day (or other day in lieu of)
Veteran's Day
Thanksgiving Day
Friday or Saturday (Day after Thanksgiving) (Board Approved)
Christmas Day
Floating Holiday (Board Approved)

7018.2 The above floating holiday shall be scheduled immediately before or after any of the other above-named holidays as determined by the District in consultation with employee groups.

7018.3 If a holiday falls on a Sunday, the holiday shall be observed the following Monday. If the holiday falls on a Saturday, the holiday shall be observed on the preceding Friday.

7018.4 Holiday Eligibility - Employees must be in paid status on the working day immediately preceding or succeeding the holiday to be paid for the holiday. Employees who are not normally assigned to duty on the holidays occurring during the Christmas/New Year and Spring vacation periods shall be paid for the required holidays by Education Code and Board approved additional holidays occurring during these periods provided that the employees were in paid status during any portion of the working day of their normal assignment immediately preceding or succeeding the holiday period. Employees beginning employment the day after the holiday or terminating employment the day preceding a holiday shall not qualify for holiday pay since they are not in service to the District on said holiday.

7018.5 Additional Holiday - Every day declared by the President of the United States or Governor of this State as a holiday in accordance with the provisions of Education Code Section 88203 shall be a paid holiday for all eligible employees.

7019 INSURANCE PROGRAM FOR EMPLOYEES

7019.1 The District may establish an employee insurance program for those employees who are employed on a 50% or more basis as a regular employee or other qualifying assignments as determined by the President/Superintendent or designee.

7019.2 The President/Superintendent shall establish a District Insurance Committee for the purposes of participation in employees' insurance matters, and shall provide administrative rules and regulations that provide for membership from all Board recognized employee organizations.
7020  **RETIREE MEDICAL INSURANCE**  
(NOT APPLICABLE TO BARGAINING UNIT EMPLOYEES - REFER TO THE COLLECTIVE BARGAINING AGREEMENT.)

7020.1 The District shall develop an insurance program for retirees.

7020.2 Retiree insurance programs shall be in accordance with federal and state laws and agreements for respective employee groups. Procedures for administration of approved retiree insurance programs shall be developed and implemented by the Vice President of Business Services through the Personnel Services Office and the District Business Services Office.

7021  **TAX SHELTERED ANNUITIES (No District Financial Interest)**  
(Reference: Education Code Section 1340)

7021.1 The Board of Trustees of the Cerritos Community College District wishes to make available to its employees tax sheltered annuities and insurance benefits provided in Section 770.3 of the California Insurance Code as it relates to Section 403 [b] of Public Law 87-370 of the United States Internal Revenue Code, Section 17512 of the California Revenue and Taxation Code, and Section 20022 of the Government Code. This policy shall apply only to those annuities and insurance purchased by employees of the District in which the District has no financial interest.

7021.2 The placing of such tax sheltered annuities and insurance for District employees shall not be restricted to a particular agent, broker, or company; however, only those agents, brokers, or companies who meet the eligibility requirements of the District shall be permitted to participate in the selling of tax sheltered annuities or insurance to employees through payroll deductions.

7021.3 While genuinely desirous of making available to all of its employees all of the advantages lawfully due them under federal and state income tax and retirement laws, the Board of Trustees cannot and does not place itself in the position of advising its employees as to their personal federal or state income tax or retirement programs or guaranteeing to them in any way that their participation in any tax sheltered annuity program incident to their employment relationship with the District will result in any actual benefit to them.

7021.4 District employees who wish to participate in any tax sheltered annuity program incident to their employment relationship with the District should individually or in concert with those persons or employee organizations who they regard as personal tax or insurance counselors, carefully and fully evaluate the impact of their net salary payment, contemplated retirement benefits, present and future federal and state income taxes, and other aspects of their personal financial
position and planning, which might occur incident to their participation in any tax
sheltered annuity program.

7021.5 Each salaried employee of the District shall be given the opportunity of entering
into an amendment of his/her contract of employment for the purpose of
effecting a reduction in his/her salary by allocation of a legal portion thereof to a
tax sheltered annuity. For each employee who voluntarily elects to accept such
reduction in salary for tax sheltered annuity purposes, the District will deposit
the stipulated amounts with (1) the California State Teachers' Retirement System
or any other State retirement system authorized by law or (2) a District approved
commercial insurance company, whichever is the preference of the employee.
The amount deposited shall be equal to the amount of salary reduction
authorized by the employee, and it shall be the responsibility of the employee
and the insurance company to verify that the salary reduction does not exceed
amounts authorized by law. (Section 403 (b) of Public Law 87-370 and other
applicable law)

7021.6 Each employee who requests to participate in any tax sheltered annuity program
herein authorized shall agree, as a condition precedent to such participation, that
this District shall in no way be liable to him/her or his/her successors for any
money damage which might arise from the federal and state tax consequences
or State retirement consequences of his/her participation in any tax sheltered
annuity program incident to his/her employment relationship with the District,
and consistent therewith, he/she shall agree to save and hold harmless this
District from any such money damages.

7022  POLITICAL ACTIVITIES
(Reference: Education Code Sections 7050-7057, 72632, 82537-82548)

7022.1 The Board of Trustees recognizes that school property and school time, paid for
and supported by the public funds, shall not be used for political purposes
except as provided under the Civic Center Act. It therefore enacts the following
policy in regard to political activity:

a. Posting of Political circulars or petitions are prohibited except upon that
portion of the Cerritos Community College District campus where bulletin
boards are set aside for that purpose.

b. Disrupting the work of an employee or student, for political purposes,
during his/her work or class period is prohibited.

7022.2 The term "political" as used in this policy includes, without being limited to, all
public elections of any kind or character whether school district, city, county,
state or national, and the term "activity" includes any participation in political
campaigns.
7022.3 Nothing in this policy shall prevent:

a. The dissemination of information concerning school tax and/or bond elections insofar as authorized by the California Education Code.

b. The discussion and study of politics and political issues when such discussion and study are appropriate to classroom studies such as history, current events and political science.

c. The conducting of student and employee elections, and campaigning related to such elections. However, no campaigning pursuant to this section will be permitted which disrupts an employee or student during his/her work or class time.

7023 PERSONNEL RECORDS
(Reference: Education Code Section 87031)

7023.1 Personnel files shall be maintained in confidence and shall be available for inspection only to appropriate management or other designated employees of the District when such is actually necessary in the proper administration of the District's affairs or the supervision of the employee. All documents concerning employees and established as official District personnel files shall be maintained by the District's Personnel Services Office.

7023.2 Ratings, reports, or records which were obtained prior to the employment of individuals, or were prepared by identifiable selection committee members or were obtained in connection with a promotional examination shall not be included in personnel files.

7023.3 Employees shall have the right to review their personnel files, provided that such reviews are made at times when such persons are not actually required to render services to the District. Employees may also authorize other individuals to review their personnel files provided such authorization is made in writing and signed by such employees.

7023.4 Management employees shall also have a right to review the personnel file of employees under their supervision.

7023.5 Reviews of personnel files shall take place in the presence of and under the supervision of authorized representatives of the District Personnel Services office. Documents may not be removed from personnel files. Employees may request copies of documents reproduced for personal use at the employee's expense.

7023.6 The President/Superintendent or appropriate Vice President shall be responsible for the development and implementation of procedures for placement of materials in employees’ personnel files. All materials to be placed in personnel
files shall be submitted through the appropriate Vice President or designee for review and placement in District personnel files. The appropriate Vice President or designee shall determine whether or not materials submitted for placement in personnel files are derogatory in nature.

7023.7 Employees shall be notified in writing of placement of any derogatory material in their personnel files and shall also receive a copy of such material. Employees shall be notified of their right to comment in writing on any such derogatory material. Employees must submit written comments to the Personnel Services Office not later than ten (10) working days after receipt of a copy of such material. Such comments shall be attached to the material and placed in their personnel files. Comments not received within the ten (10) day period will not be placed in the personnel file.

7023.8 Copies of personnel records may be released if legally required under subpoena; however, the District will require reimbursement of reasonable costs for such service.

7024 **IDENTIFICATION CARDS**
(Reference: Education Code Section 87013)

7024.1 All new full-time probationary employees, at the time of initial employment with the District, shall be issued an identification card which includes the employee's picture, position title, employee number, and signature. This identification card, which remains the property of the District, shall be carried by the employee at all times while on campus. Upon termination from employment, the identification card must be returned to the District in accordance with administrative procedures.

7024.2 Temporary part-time academic employees and part-time classified employees shall be issued an identification card valid only for the academic year for which they are employed.

7025 **OUTSIDE EMPLOYMENT**
(Reference: Education Code Section 70902; Government Code Section 1126)

Outside employment shall not in any way interfere with an employee's ability to fully carry out his/her assignment with the District.

7029 **EMPLOYMENT SELECTION**
(Reference: Education Code Sections 72400 et seq., 87360, 88009; Title 5 Code Sections 51010, 53000 et seq., and 59320 et seq.; Government Code Section 11135 et seq.)
7029.1 The President/Superintendent, through Personnel Services and the Affirmative Action/Staff Diversity Officer, is responsible for developing procedures which will result in the selection of persons that meet the District's employment needs in a timely manner and ensure compliance with federal, state and local laws, and Board Policies.

7029.2 Development of selection procedures and participation in selection processes shall include input from all appropriate segments of the staff.

7029.3 Any individuals or groups of individuals acting on behalf of the Board of Trustees for the recruitment and selection of personnel for the District are subject to all federal, state and local laws, and Board Policies.

7029.4 The President/Superintendent, at his/her sole discretion, may make exceptions to the employment selection policies in unusual circumstances which require immediate action for the governing board to hire personnel.

7030 **JOB ANNOUNCEMENTS**
(Reference: Title 5 Code Sections 53021-53022)

7030.1 The Personnel Services Office shall be responsible for the development and dissemination of job announcements. Announcements shall be developed from Board approved job descriptions prepared by the responsible manager with input from the appropriate Vice President, the Personnel Services Office and the Affirmative Action/Staff Diversity Officer.

7030.2 Information in the job announcement shall include a detailed description of the position duties and responsibilities; minimum qualifications for the position; desired or preferred qualifications; general information relative to the work location, conditions of employment, salary, benefits, assigned time, etc., application procedures and any other information about the opportunity as deemed necessary.

7030.3 "Desired" or "preferred" qualifications, when used, shall be clearly differentiated from "required" qualifications.

7030.4 The determination of equivalency to minimum qualifications is the responsibility of the Hiring Standards Committee. The authority to determine equivalent qualifications does not give the authority to waive the minimum standards. The purpose of equivalency is to give consideration to those qualified candidates whose degrees have different titles or who have acquired their qualifications by a different means and/or job-related professional experience.
7030.5 Job announcements shall be widely circulated within the college and to outside agencies for adequate periods of time in order to develop qualified and representative applicant pools for District employment opportunities.

7030.6 Employment opportunities may be announced for recruitment and selection from specific District employee groups only as determined appropriate by the President/Superintendent.

7030.7 The Personnel Services Office shall issue, receive and coordinate the processing of all applications for District employment opportunities.

7031 **SELECTION COMMITTEES**  
(Reference: Title 5 Code Sections 53023-53024)

7031.1 Selection committees shall consist of representatives from appropriate administrative units, divisions/departments, employee groups, etc. Efforts shall be made to include members of underrepresented groups on selection committees. Committees may also include outside technical or professional experts as approved by the President/Superintendent or appropriate Vice President to assist in an advisory capacity in the evaluation of candidates’ qualifications.

7031.2 Composition of selection committees shall be in accordance with selection procedures as approved by the President/Superintendent.

7031.3 Committee members shall be advised of District selection procedures and agree to adhere to all of the requirements of such procedures. Members shall not reveal to anyone the names of applicants, any information relative to applicants, qualifications, ratings which candidates received, or any other information which is part of the selection committee process unless required to do so by lawful subpoena. All applications for employment are considered to be the property of the District and shall not be returned to the applicant.

The proper handling of confidentiality by all committee members is of utmost importance in safeguarding the rights of all applicants. Any committee member’s concerns regarding qualifications or adverse information regarding a specific candidate shall be addressed directly to the committee chairperson and the Personnel Services Office. All person serving on any selection committee shall be required to sign a confidentiality statement prior to commencing service on the committee.

7031.4 Committee members may be subject to disqualification from participation in the selection process when a conflict of interest arises whereby the committee member may not be able to remain objective and impartial in his/her evaluation and/or recommendation of applicants for employment.
7031.5 The Committee will develop specific criteria for selection based upon the position qualifications and selection instruments. All questions, selection criteria, rating sheets, notes and related selection process documents shall be secured by the committee chairperson and submitted to the Personnel Services Office with the selection results and recommendations. This information shall be maintained by the Personnel Services Office in accordance with applicable laws.

7031.6 Committees will evaluate candidates based upon the selection criteria for the position. Committees will select candidates for interviews. Additional job-related performance and/or manipulative type skills testing may also be included in the selection process to assist in the overall evaluation of candidates, qualifications as long as they are in compliance with the Affirmative Action/Staff Diversity Guidelines.

7032 **PERSONNEL APPOINTMENTS**
(Reference: Education Code Sections 70902, 72400, 87400 and 88003)

7032.1 The Board of Trustees has the authority to approve in advance new classified and academic positions.

7032.2 The Board of Trustees appoints all Cerritos Community College District personnel. To be effective, all personnel appointments must be approved by the Board before work begins, or ratified at the next regular Board meeting.

7032.3 The Board of Trustees shall either accept or reject the candidates for employment recommended by the President/Superintendent.

7032.4 New employees must complete and sign required employment forms and meet any other employment requirements set by the District policies/regulations, federal and/or state laws, before commencing employment with the District.

7038 **FAMILY AND MEDICAL LEAVE (UNPAID)**
(Approved by Board of Trustees: 10/04/94)
(NOT APPLICABLE TO BARGAINING UNIT EMPLOYEES - REFER TO THE COLLECTIVE BARGAINING AGREEMENT.)

7038.1 The District will grant unpaid family and medical leave to eligible employees in accordance with the provisions of and regulations governing the Federal Family and Medical Leave Act of 1993 (Public Law 103.3).

7038.2 The District will grant up to 12 weeks of unpaid family and medical leave with continuation of existing District-paid health and welfare benefits to eligible employees for the birth, adoption, or foster care placement of a child with the employee, or for care of the employee, employee's child, spouse, or parent with a serious health condition. Except for disability leave on account of pregnancy,
childbirth or related medical conditions, family or medical leave under this policy will run concurrent with any paid leave for which the employee is eligible including sick leave and accrued vacation. Employees are required to provide 30 days advance written notice if the need for unpaid family leave is foreseeable. Any family leave request will be processed in accordance with the applicable provisions of state and federal law.

7039  CATASTROPHIC ILLNESS/INJURY LEAVE DONATION PLAN
(Reference: Education Code Section 87045)
(Approved by Board of Trustees July 9, 1998)

7039.1 The purpose of this plan is to permit eligible participating employees with a catastrophic illness or injury to solicit donations of vacation and/or sick leave from fellow employees. The intent is to ensure that catastrophically ill or injured employees continue in paid status for the primary purpose of maintaining medical benefits during their recovery period. The secondary purpose is to enable the employees to remain in paid status.

7039.2 Donee Requirements

1) Must exhaust all available accrued leave.

2) An employee need only contribute a minimum of eight (8) hours to the LEAVE BANK to become a participating employee. Thereafter, an employee with verified catastrophic illness/injury may receive LEAVE BANK benefits.

3) Must be incapacitated/absent for an extended period of time.

   a. The incapacity/absence must take place on regularly assigned time. In the case of faculty, summer session and overload assignment shall not be considered regularly assigned time. In the case of 10 or 11-month classified employees, only assigned time will be considered.

   b. The incapacity/absence must be estimated by a physician to exceed one month of regularly assigned time.

4) In the event that LEAVE BANK benefits will not cover the period of estimated incapacity/absence, the LEAVE BANK beneficiary may use donated time in partial day increments to remain in at least 50% paid status to maintain District-paid health and welfare benefits. No matter how donated time is used, benefits from the plan may not exceed 12 months.

5) Must submit medical verification. The District may require additional medical verification from a physician selected by the District at District expense.
6) Must submit letter or form requesting LEAVE BANK benefits. An authorized person other than the donee may request donated leave.

7) Must use all donated leave within a twelve (12) consecutive month period following the donation. Leave time will be returned to the LEAVE BANK if the employee returns to work and has a reoccurrence of the same or related catastrophic illness or injury, after using any accrued vacation or sick leave, previously donated leave days may be used if the time remains available.

8) If no reoccurrence of the catastrophic illness or injury occurs within one (1) year of the date returned to work, the unused donated leave will revert to the District’s LEAVE BANK.

9) Pledged donated leaves can be used only for the specified catastrophic illness or injury. A different catastrophic illness or injury must be handled as a separate or second incident.

10) As required in Education Code Section 87045, the District determines that the employee is unable to work due to the employee’s catastrophic illness or injury.

11) Any employee who has suffered a catastrophic illness or injury and who has been absent for at least 30 continuous calendar days prior to the initiation of this plan (June 18, 1998), may be considered by the C.I.I. Committee for eligibility without meeting the requirements of Sections I.2 and II.1 of this plan.

12) EXCLUSIONS: Stress-related illness; elective surgery; normal pregnancy; worker’s compensation claims; disabilities resulting from alcoholism or drug addiction unless the drugs are being administered by a physician; intentionally self-inflicted injuries; or illnesses such as colds, flu, allergies, headaches, etc.

7039.3 **Donating Employee Requirements**

1) Must donate a minimum of eight (8) hours initially, and in one-hour increments thereafter. May donate a maximum of forty (40) hours at any one call AND MUST retain no less that two hundred forty (240) hours of eligible leave on record. Faculty members may not donate summer session or overload sick leave. Classified members may not donate compensatory time.

2) If eligible for vacation time, employee may donate accumulated vacation time with no restrictions.
3) LEAVE DONATIONS ARE IRREVOCABLE! ONCE YOU DONATE, IT’S GONE FOREVER.

4) Any unused donated leave will revert to the District’s LEAVE BANK for use by other catastrophically ill/injured employees who request and are approved to use leave from this bank.

5) Donated sick leave or vacation leave is charged on an hour-for-hour basis of the classification and/or salary of either the donee or the donor.

7039.4 Leave Bank Provisions

In addition to the conditions specified above, the following items apply specifically to LEAVE BANK requests:

1) The District will annually, or as needed, promote a call for donations for the LEAVE BANK.

2) Unused donated leave reverting to the LEAVE BANK and/or leave specifically donated to the LEAVE BANK makes up the LEAVE BANK.

3) Requests for leave are subject to LEAVE BANK availability. The District is not responsible for filling requests for the LEAVE BANK if leave is not available.

4) It is the responsibility of the employee or authorized person making the request to submit sufficient information or explanations to the C.I.I. Committee for approval. Insufficient information on a request will be grounds for denial.

5) Requests for use of the LEAVE BANK are to be directly submitted to the Director of Personnel Services. The Director of Personnel Services will review and verify the request and certify the eligibility of the employee. The Director of Personnel Services will provide the C.I.I. Committee with appropriate information. The Committee will review the leave request but will not be told the name of the person making the request. Confidentiality will be upheld, and all efforts will be made to ensure the privacy of the employee making the leave request. The C.I.I. Committee will determine the result for leave requests.

6) The Payroll Department, Business Services, will administer the transfer of leave and verification of balances in the LEAVE BANK.