

RULES AFFECTING

CLASSIFIED AND ADMINISTRATIVE/PROFESSIONAL STAFF

SECTION SEVEN

7.0 ATTENDANCE AND LEAVE

- A. For purposes of complying with federal and state regulations, the University workweek is defined as the seven consecutive day period which begins at 12:01 a.m. Monday and ends the following Sunday at midnight. The Chief Human Resources Officer may authorize an alternative workweek for selected departments or areas should business needs justify such action.
- B. During the workweek, normal university business hours are from 8:00 a.m. until 12:00 noon and 1:00 p.m. until 5:00 p.m. Monday through Friday, for a total of 40 hours per week. With appropriate approvals a department or unit may observe a different schedule for the purpose of best meeting its needs and the needs of its clients, so long as the work schedule is for a total of 40 hours a week
- C. Classified employees are expected to be present promptly at the beginning of the work schedule, to remain on the job until the scheduled meal break, to return promptly at the end of the meal break, and to quit work promptly at the end of the work schedule. Classified employees may not perform work at any time outside the normal daily schedule without specific prior authority of an appropriate supervisor. It is management's responsibility to ensure that Classified employees' time cards accurately reflect all time the employee is performing services for the university, as well as all absences from work. Managers shall not authorize payment to an individual for hours not worked which are not authorized by these rules. Inaccurate, falsified time records reflect administrative dishonesty, violate these rules as well as both state and federal regulations, and represent fraud.
- D. During each shift of at least three and one-half hours (example: typical 4-hour morning and typical 4-hour afternoon shift) Classified employees may not be denied one 15 minute paid rest period. Supervisors may designate when Classified employees may take the rest period. Rest periods do not accumulate if not used, and shall not be used to cover late arrival to or early departure from work or to extend a meal break.

- E. A meal period of at least 30 minutes shall be taken no later than 5 hours from the beginning of the work schedule. During the meal period a Classified employee must be relieved of all duties and must have freedom to leave the work area. Otherwise, the employee must be compensated for the meal period. For this reason supervisors of Classified employees may insist that a meal break be taken at some place other than the normal work area.

- F. Administrative/Professional staff members are not eligible for overtime payments, are employed to perform a service or services to the University, and may be expected to devote the time necessary to accomplish that service. Administrative/Professional employees are expected to observe normal business hours. Because Administrative/Professional employees sometime devote more than the usual 8-hour day or 40-hour week to their duties, a department head may exercise judgment in deciding when an absence is chargeable to annual or sick leave. Normally such absences of less than 8 hours will not be charged. Administrative/Professional employees do not earn compensatory time off.

- G. Department Heads will report chargeable absences of Administrative/Professional personnel to the Human Resources Department.

- H. The University observes the following Holidays:
 - 1. New Year's Day
 - 2. January 2 when it falls on Friday
 - 3. Martin Luther King's Birthday
 - 4. President's Day
 - 5. Good Friday
 - 6. Memorial Day
 - 7. Independence Day
 - 8. Labor Day
 - 9. Thanksgiving Day and the following Friday
 - 10. Half-day the last work day prior to Christmas Day plus Christmas Day and the following work week through December 31
 - a. Traditional (Mon through Fri) Work Schedules:
Should a holiday fall on Saturday, the preceding Friday will be observed. Should it fall on a Sunday, the following Monday will be observed.

Alternative Work Schedules:
Should a holiday fall on an employee's scheduled day off, the supervisor is expected to provide the employee with 8 hours of paid holiday time off during that work week.

- b. Compensation of Classified employees who work on a holiday is governed by provisions of Section VI, Paragraph D.1.
- c. Every effort will be made to accommodate employee's wishes to observe religious holidays. Accommodation may occur by allowing an employee to substitute a religious holiday for a traditional holiday, or by using annual leave or leave without pay.
- d. In order to receive holiday pay, an employee must have been in pay status the full day before and the full day following the holiday.
- e. Holiday pay is granted on a prorated basis for Regular employees whose appointment is 50% FTE or more.

I. Vacation Leave:

- 1. Full-time Regular Classified employees accrue Vacation Leave according to the schedule below. Those who work less than full-time but at least half-time accrue a prorated amount. Vacation leave accrues for each month during which the employee is in pay status 15 or more calendar days:

1st 2 years	=	7 hours per month
3rd and 4th years	=	10 hours per month
After 4 years	=	14 hour per month

- 2. Vacation leave is available for use after it is earned and credited to the employee. Crediting occurs on the 16th day of each month, for that month.
- 3. Full-time Administrative/Professional employees accrue 15 hours of vacation leave for each month during which the employee is in pay status 15 or more calendar days. Those who work less than full-time but at least half-time accrue a prorated amount.
- 4. Vacation leave may be accrued up to a total of 240 hours (30 days), prorated for those working more than 50% but less than 100%.
- 5. Vacation leave may not be taken prior to having been credited to an employee's leave account. Crediting of vacation leave occurs on the 16th of the month, for that month.
- 6. Vacation leave must have been expended prior to the beginning of any leave without pay.

7. Employees may request of their supervisor the use of accrued vacation leave at any time. However, management may schedule employee's use of vacation leave at times convenient to or in the best interests of the University, except that vacation leave will not be authorized during holiday periods if doing so would enhance the employee's pay.
8. Unused accrued vacation leave will be paid at the time of resignation, retirement, discharge, lay-off, or death. In the event of death, vacation leave will be paid as provided by law.
9. An individual who is re-employed within 6 months of separating from regular employment may have prior service (but not the period of absence) credited toward a higher vacation leave accrual rate. (See Section 4; paragraph H-4. for return from layoff, which is treated differently than other separations.)

J. Sick leave:

1. All full-time Regular employees shall accrue 8 hours of sick leave per month in which the employee is in pay status 15 or more calendar days, up to a maximum of 480 hours.
2. Prorated sick leave accrues for Regular staff employed on any other fixed part-time basis of 50% FTE or more.
3. Sick leave shall be authorized for use only after it is earned and credited to the employee. Crediting occurs on the 16th of each month, for that month.
4. Sick leave may be granted for the employee's personal illness, injury, exposure to a contagious disease which would endanger others, to cover absences resulting from job-related injuries or illnesses, or for appointments with a licensed medical practitioner, and shall include disability caused by or attributed to pregnancy, miscarriage, abortion, childbirth, and recovery there from, and when the employee's absence is necessary due to the illness of a member of the immediate family, defined as parents, legal guardian, brother, sister, spouse, child, grandparents, and spouse's parents. Twenty-five percent of an employee's sick leave balance may be used for the adoption of a child by the employee at the time placement.
5. The appropriate dean, director, or department head may require the employee to state in writing that any use of sick leave was for reasons permitted by policy.

6. Any extended absence (typically more than one week) due to illness for which the individual is under the care of a physician requires that the physician provide a statement certifying that the employee is fully able to return to the job before the employee will be permitted to return.
 7. After the use of five days of sick leave in the preceding 12 months, the department head may require a medical certification of illness before authorizing additional sick leave.
 8. In the case of illness while on paid vacation, the employee shall be allowed to use sick leave to cover the period of illness.
 9. Any time an employee receives Workers' Compensation or State Disability payments, sick leave will be utilized in proportion to the benefit paid, e.g., if no benefit is paid for a day of absence, one day of sick leave will be used - if one-half a day's pay is granted by Workers' Compensation or State Disability for one day of absence, one-half day of sick leave will be used. If the employee has no sick leave available, then any available vacation leave will be utilized. If/when no sick or vacation leave is available the employee's sole benefit will be Workers' Compensation Disability Payments.
 10. Whenever an employee moves from one employment unit to another without a break in continuous service, unused sick leave shall be transferred to the new employment unit.
 11. This paragraph deleted 10/02.
- K. Jury or Witness Duty: Any Regular employee who submits to the department head a copy of a subpoena to serve as a juror or as a witness shall be granted time off their regular work schedule for such duty, plus reasonable travel time. Employees are expected to report for their regular work schedule at times when they are not required to be "in court." Up to 80 hours off in a 24 month period will be paid; more than that will be granted without pay. Time off for appearance in court for traffic or other violations, or as a party in a law suit, must be charged to the vacation leave account or to leave without pay. Fees received for approved jury duty may be retained by the employee.
- L. Military Leave:
1. Any employee who is a member of the Reserve Corps of the Armed Forces of the United States, of the National Guard or of the Naval Militia shall be entitled to a temporary leave of absence without pay while engaged in Military Reserve Duty, provided that the period of ordered duty does not exceed seventeen (17) days

annually, including time involved in going to and returning from such duties. Benefits continue to accrue during such leave.

2. An employee who enters the Armed Forces of the United States for sustained, non-reserve military service will be granted an unpaid leave of absence, upon presentation of satisfactory evidence of entry into the military service. Employees who meet the conditions of eligibility for re-employment under the applicable federal and state statutes will be given all the rights and benefits to which they are entitled under laws existing at the time of their application for re-employment. The Selective Service Act provides a leave of absence for up to 5 years, the right to be re-employed for at least one year (if application is made within 90 days of release) without loss of pay or seniority which otherwise would have accrued during the leave.

M. Bereavement Leave:

1. A Regular status employee shall, upon request to a Senior Manager, be granted up to three days of bereavement leave with pay upon the death of (a) the employee's parents, legal guardian, brother, sister, spouse, child, and grandparents, (b) spouse's parents, and (c) the employee's family member who is not otherwise defined in (a) or (b) above.
2. The paid days off will include days on which the employee was/is scheduled to work.

N. Hazardous Conditions:

1. The University presumes continuing services and instructional functions under all conditions insofar as possible. Only under the most extreme and adverse conditions will Classified and Administrative/Professional personnel be released from work, and then only upon announcement by the President, or the Executive Vice President's designee.
2. Classified and Administrative/Professional employees who opt to leave work for any reason during adverse conditions will charge the absence to vacation leave unless they have been released from work by the President or the Executive Vice President's designee.

O. Educational Leave:

Unpaid release time from work may be granted by managers to employees for the purpose of attending University classes during normal working hours for their personal benefits provided that such release time will not cause an undue hardship on the

operations of the unit or upon the working conditions of other personnel in the unit.

P. Administrative Sabbatical Leave for Administrative/Professional employees. Two options are available:

1. OPTION 1: An employee is eligible for 22 days (one month) of leave after each five completed full years of continuous A/P service in the following manner:

- The 22 days available after 5 years may be taken during the 6th through the 10th years, or is forfeited.
- The 22 days available after 10 years may be taken during the 11th through the 15th years, or is forfeited.
- etc., etc., etc.

This leave is paid and the employee is not required to pursue a particular agenda. The employee, with the agreement of his or her supervisor and the understanding that the employee will return to work following the leave, elects when he or she wishes to take advantage of the leave option and will receive full pay during the leave. If this Option is chosen, Option II cannot be chosen before another six years. This leave does not accrue, and no payment is made for unused leave at separation from employment. The leave may be taken in any increments acceptable to the supervisor.

2. OPTION II: An employee is eligible to apply for a leave after six completed full years of continuous service when he or she is pursuing graduate study or a similarly appropriate program of research related to his or her duties. It is expected that the employee will return to work after the leave. Either four or eight months of leave may be taken. For a four month leave, the employee will receive 100% of full salary. For an eight month leave, the employee will receive 50% of full salary. If this option is chosen, then Option I cannot be chosen before another five years.

a. It is the responsibility of the employee to demonstrate to the Administrative/Professional Personnel Committee the appropriateness of the leave. It is the responsibility of the department, division, or program to incorporate into the annual budget any moneys needed to subsidize the leave. These adjustments should be outlined in the proposal to the Administrative/Professional Personnel Committee.

b. If the Administrative/Professional Personnel Committee approves the leave for the purposes outlined in the proposal, the matter then is submitted to the Executive

Committee of the Board of Trustees via the appropriate dean or department head, and the President.

- c. If the employee takes a study or research leave, he or she will recognize the need for accountability for the leave and will submit a report to the appropriate superior and to the Administrative/Professional Committee upon return.
 - d. If the employee wishes to take advantage of the leave options, the employee must submit their request citing the leave option chosen in writing to their immediate supervisor. If approved, the supervisor must submit all written approvals to the Human Resources Department for tracking purposes.
 - e. This leave does not accrue, and no payment is made for leave not taken.
- 3. If OPTION I or II above is chosen, the University will continue to pay its share of premiums toward retirement and insurance programs which are in effect, providing the employee continues to pay his/her share of such premiums.
 - 4. Employees cannot accumulate additional leave time by extending the years between which leaves are actually taken. Before a leave is approved, careful consideration must be given to the satisfactory shifting of responsibilities to associates or subordinates without excessive financial burden on the University. The Executive Vice President has final approval as to when a leave may be taken.

Q. Family Care Leave

- 1. This rule intends to comply with both federal and California statutes in such a way that a Family Care Leave runs concurrently with both. Regular Classified and Administrative/Professional employees may request Family Care Leave up to 12 workweeks in a 12 month period for the following reasons:
 - a. the birth of a child or placement of a child with the employee through adoption or foster care.
 - b. to provide care for a parent, spouse, or child who has a serious health condition. (See paragraph T for pregnancy-related disability leave.)
 - c. the employee's own serious health condition makes the employee unable to perform job duties. The health condition must require inpatient care in a hospital, hospice,

or residential medical care facility; or continuing supervision by a licensed medical practitioner.

2. To apply for Family Care Leave the employee must submit a written request to the Human Resources Department. Medical certification may be required; the University reserves the right to require a second or third opinion, at the expense of the University. IF medical certification is required, and is not provided, the leave will not be approved as family care leave. Application is to be made at least 30 days in advance for the childbirth, placement of a child, or planned medical treatment. Insofar as possible, planned medical treatment will be scheduled so as to provide as little disruption to University operations as possible. If leave is approved, written notice to the employee will specify the terms and conditions of the leave. The Human Resources Department will establish the beginning date of the leave on the basis of information it is able to obtain.
 - a. Updated certifications will be required if the period of time covered by the initial certification expires.
 - b. The written request will include the employee's intent to return, and the expected date of return to work.
 - c. If the leave is for the employee's pregnancy or illness, return to work will be contingent upon written medical opinion that the employee is fully able to perform the duties of the position as described in the Position Description. The University reserves the right to request a second opinion from a physician of its choice.
3. Family Care Leave may be paid, unpaid, or a combination of the two:
 - a. Available paid sick, vacation leave, and leave authorized under the Catastrophic Medical Leave Policy shall first be applied to Family Care Leave except that no more than 25% of the employee's accrued sick leave may be utilized for adoption or placement of a foster child. If or when the paid leave account (s) is exhausted, the remainder of the Family Care Leave will be unpaid.
 - b. If the request for leave is to provide child care, it may be denied if, in the opinion of the university, a spouse is available to provide the care. If both parents are employed by the University of La Verne the combined total leave for the two is limited to 12 weeks in the 12 month period.

- c. Intermittent short term leave, or reduced schedule:
 - 1. Will be authorized only if medically necessary.
 - 2. May necessitate temporary transfer to another position at the same level and rate of pay.
 - 3. Will result in charges against the total time available for family care leave, and against available leave accounts.

- d. Leave for the placement of a child with the employee through adoption or foster care must be taken within one year following the placement and may not be taken intermittently or on a reduced schedule.
 - 1. While on unpaid Family Care Leave the university will continue to pay its portion of the employee's health premiums just as though the employee were remaining in pay status. The employee must pay his or her portion of the premium payments by the 1st of the month for that month. After 30 days of non-payment the health plan coverage will be canceled. If the employee does not return from the leave, the University may recover, from the employee, amounts paid on behalf of the employee. Other benefits may be continued, at the employee's full cost, if permitted by the benefit plan.
 - 2. An employee who is granted Family Care Leave is assured the same or comparable position upon return to work at no less than the same pay rate, without loss of seniority, and without the imposition of any waiting period for benefits eligibility.
 - 3. For the purposes of this rule, the following definitions will apply:
 - a. Child: biological, adopted, foster, or stepchild; a legal ward; a dependent child.
 - b. Parent: biological, adoptive, foster, or stepparent; a legal guardian.
 - c. Serious Health Condition: an illness, injury, impairment, physical or mental condition that involves inpatient care or continuous treatment by a health care provider and which precludes employee from working.

- d. Comparable position: A position in the same classification and pay rate, and that has the same or similar geographic location as the position held prior to the leave.
- e. 12-month period: A 12-month retrospective from the current date or the date requested for leave.

R. Leave Without Pay:

- 1. A leave of absence without pay, with the right to return to the same position, may be granted by the department head for a period of time not exceeding six months.
- 2. In exceptional cases a leave of absence without pay may be extended by the department head to 12 months. Upon expiration of the extended leave, every effort will be made to place the employee in a comparable position with the University. However, the University cannot guarantee employment at the expiration of an extended leave.
- 3. Limitations
 - a. All accrued sick leave shall be used prior to the beginning date of any leave without pay for medical purposes; all accrued vacation leave shall be used prior to the beginning date of any other leave without pay.
 - b. The employee is responsible for paying the full cost of any available benefit which is normally paid at least in part by the University.
 - c. Leave without pay (paragraph R. above) may not be granted if it would cause undue hardship on the operation of the department or on the working conditions of other personnel in the department.

S. For Catastrophic Leave Policy see section 25.

T. Pregnancy related disability leave:

Up to four months of unpaid leave is available to an employee who is, according to written medical certification, physically unable to perform the job due to a pregnancy-related condition. Any available paid leave may, however, be utilized as part of the four months. The employee is assured of reinstatement to the same or similar position. The employee may request that this disability leave be counted as Family Care Leave

(paragraph Q, above) in order to be eligible for continued university benefit contribution.

U. Personal Leave:

Regular Classified and Administrative/Professional employees who were employed full-time on December 31 of any given year are eligible to request the use of eight hours of Personal Leave during the following year in increments of at least four hours. Those employed less than full-time but at least 50% FTE are eligible for a pro-rated amount. This leave is not carried over from one calendar year to the next; if not taken during the year it is forfeited. It is not paid at termination of employment.

V. School Visitation:

Employees who are parents, guardians, or grandparents with custody of a child in kindergarten or grades 1 through 12 may take up to 40 hours off each school year to participate in activities of the child's school. No more than 8 hours off may be taken in any calendar month of the school year. Reasonable notice of planned absences must be given prior to taking time off. Employees will be required to utilize existing Vacation or Personal Leave for the absence. If those accounts are depleted, leave without pay may be taken.

W. Chargeable Absences: Deans, Directors, Department Heads, and Supervisory Personnel are not authorized to grant an employee paid time off which is not authorized under these rules. All absences of Classified and Administrative/Professional employees are therefore to be charged to some account such as Vacation Leave, Sick Leave, Holiday, Jury Duty, Bereavement Leave, Military Leave, Family Care Leave, Personal Leave, and the like.

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