
Employee Leaves of Absence Policy 5-201

Purpose

The District recognizes that employees may need time away from work for illness, family responsibilities, civic duties, and professional development. This policy ensures that all employees—classified and certificated—understand their leave rights and that the District complies with all applicable laws while supporting staff well-being.

Scope:

The leaves of absence detailed below are intended to summarize leaves available to classified and certificated employees. However, in all cases, the District shall provide leave entitlements solely in accordance with applicable state and federal law, including Education Code provisions and any Labor Code provisions expressly applicable to public school employers, as well as any applicable collective bargaining agreement.

Verification must be provided to the District upon request and in accordance with applicable law.

Types of Leave:

1. Sick Leave

Employees shall receive sick leave annually for personal illness or injury. These leaves are granted based on full-time equivalency and prorated for part-time employees. Sick leave accrual and usage comply with Education Code §§ 44978 and 45191.

2. Extended Sick Leave / Differential Pay

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Revised on: N/A

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After exhausting full paid sick leave, employees may receive differential pay for a period of up to five (5) school months, in accordance with Education Code sections 44977 and 45196. If, after exhausting all available sick leave, including any period of differential leave, an employee is not medically able to resume duties, the employee shall be placed on a reemployment list in accordance with Education Code sections 44978.1, 45192, or 45195, as applicable.

3. Family Medical Leave Act and California Family Rights Act Leave

Eligible employees shall be provided up to twelve (12) workweeks of unpaid, job-protected family and medical leave in a 12-month period under the federal Family and Medical Leave Act (“FMLA”) and/or the California Family Rights Act (“CFRA”), as applicable. Such leave may be used for the employee’s own serious health condition, to care for a family member with a serious health condition, for a qualifying military exigency, and for other purposes required by law. FMLA and CFRA leave shall run concurrently when permitted by law.

4. Pregnancy Disability Leave

Employees disabled by pregnancy are entitled to up to four (4) months (17.3 weeks) of unpaid, job-protected pregnancy disability leave per pregnancy, in accordance with Government Code section 12945. This leave shall run concurrently with any available leave under the FMLA. Sick leave or differential pay may be used if available.

5. Parental Leave

Eligible employees may take up to twelve (12) workweeks of job-protected leave to bond with a newborn or newly placed child within one year of the birth, adoption, or foster care placement, in accordance with CFRA, FMLA, and Education Code sections 44977.5 and 45196.1, as applicable. Employees may use available full-paid sick leave and differential pay during parental leave to the extent required by law.

6. Personal Necessity Leave

Employees may use up to seven (7) days of accrued sick leave per year for personal necessity, in accordance with Education Code sections 44981 and 45207.

7. Bereavement Leave

Employees shall receive bereavement leave as provided by Education Code sections 44985 and 45194 and Government Code section 12945.7.

8. Industrial Accident/Illness Leave

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Revised on: N/A

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The District shall provide industrial accident or illness leave for certificated and classified employees in accordance with Education Code sections 44984 and 45192, as applicable, as well as other applicable Board Policy/Administrative Regulation.

9. **Jury, Legal Duty, and Victim Leave**

The District shall provide leave for jury duty, legal duty (e.g., responding to a subpoena or court-ordered appearance), and victim-related absences in accordance with, and to the extent required by, Education Code sections 44036 and 44037 and Government Code section 12945.8.

10. **Military Leave**

The District shall provide military leave, including paid temporary military leave for eligible employees with at least one year of public agency service, in accordance with Military and Veterans Code section 395.01 and other applicable law. Eligible certificated employees shall receive up to ten (10) days of additional paid sick leave for treatment of a qualifying service-connected disability in accordance with Education Code section 44978.2. Eligible classified employees shall receive up to twelve (12) days of additional paid sick leave for treatment of a qualifying service-connected disability in accordance with Education Code section 45191.5.

11. **Voting Leave**

Employees who do not have sufficient time to vote outside working hours are entitled to up to two (2) hours of paid time off in accordance with Elections Code section 14000. The District shall ensure that notice of this provision is posted in accordance with Elections Code section 14001.

12. **Union Leave**

Employees may be granted leave for official union duties in accordance with Education Code sections 44987 and 45210.

13. **Kin Care**

Employees may use accrued and available sick leave, in an amount not less than the amount of sick leave accrued during six months at the employee's then-current rate of entitlement, for the purposes authorized by Labor Code sections 233 and 246.5. "Family member" shall have the meaning provided in Labor Code section 245.5, including a designated person to the extent required by law.

Administrative Regulations

1. Leave Requests

All leave requests should be submitted in writing to the employee's immediate supervisor and/or the Human Resources Department as early as possible. Requests for foreseeable leaves (e.g., planned medical procedures, parental leave, jury duty) should be made at least 30 days in advance when possible.

2. Verification Requirements

The District may require documentation verifying the need for leave. This includes, but is not limited to, medical certification for illness or disability, court documentation for jury duty or legal leave, and proof of relationship for bereavement leave. Medical certification may be required for certain leaves such as pregnancy disability, or family medical leave. The District may require verification for absences exceeding three consecutive days or where abuse of leave is suspected. Acceptable documentation includes a healthcare provider's note or, in appropriate circumstances, a signed statement under penalty of perjury.

3. Coordination with Other Leave Laws

The Human Resources Professional shall ensure that leave entitlements under CFRA, FMLA, and Pregnancy Disability Leave are coordinated appropriately to ensure compliance and prevent duplication or overuse. Employees will be notified of their rights under applicable laws when requesting leave. Parental leave under CFRA runs concurrently with any applicable FMLA leave. Employees are not entitled to more than 12 weeks of total bonding leave under both laws. For additional details, refer to the District's Childbirth, Parenting, and Lactation Policy.

The District uses the substitute cost method for differential pay: the employee receives their regular salary minus the actual or estimated cost of a substitute. This may be modified by collective bargaining agreements.

4. Communication and Documentation

Employees are responsible for maintaining communication with the District during extended absences and must notify Human Resources of any changes to the duration or purpose of their leave. The District shall maintain records of all leave requests and approvals in accordance with legal requirements.