BP 7340  
Vacation and Leaves

Legal References:
Education Code Sections 87701, 87763 et seq. and 88190 et seq., 88202, 88210, and additional cites below;
Government Code Section 12945;
Unemployment Insurance Code Sections 3300 – 3303

The District provides leaves in accordance with law and the provisions in the applicable collective bargaining agreements. Such leaves shall include, but are not limited to:
- illness leaves for all classes of permanent employees;
- vacation leave for members of the classified service, educational administrators, and classified managers;
- leave for service as an elected official of a community college district public employee organization, or of any statewide or national employee organization with which the local organization is affiliated or leave for a reasonable number of unelected classified employees for the purpose of enabling an employee to attend important organizational activities authorized by the public employee organization (Education Code Sections 87768.5 and 88210);
- leave of absence to serve as an elected member of the legislature (Education Code Section 87701);
- pregnancy and maternity leave (Education Code Sections 87766 and 88193; Government Code Section 12945);
- use of illness leave for personal necessity (Education Code Sections 87784 and 88207);
- industrial accident leave;
- bereavement leave;
- jury service or appearance as a witness in court (Education Code Sections 87035 and 87036);
- military service (also see BP/AP 7346 titled Employees Called to Military Duty) (Education Code Section 87700); and
- sabbatical leaves.

Vacation leave for represented classified employees shall not accumulate beyond the limits delineated in the collective bargaining agreement with the District. Vacation leave for educational administrators, classified managers, and confidential employees shall not accumulate beyond 22 days of paid leave or 176 hours of paid leave. Employees shall
be permitted to take vacation in a timely manner to avoid accumulation of excess vacation.

In addition to this policy and collective bargaining agreements, the Board of Trustees retains the power to grant leaves with or without pay for other purposes or for other periods of time.

The Chancellor shall establish procedures for employee leaves as authorized by law and by any collective bargaining agreements entered into by the District.

- From the current Coast CCD BP 7820 titled Maternity Absence

Absence from work of a person due to disability related to pregnancy, childbirth, and related convalescence is to be treated as any other temporary disability of an employee, and covered by sick leave, and medical coverage shall be provided accordingly to all eligible employees.

**NOTE:** The following current Coast CCD policies are shown as struck below because the language is recommended for inclusion in new AP 7340 titled Leaves due to the level of detail contained therein.

- From the current Coast CCD BP 7818 titled Sick Leave

Education Code 87781, 87782, 87783, 87785, 88191, 88202

Unused sick leave shall be cumulative without limit during an employee's unbroken term of employment with the District. All accumulated sick leave privileges shall be canceled, without cash value to the employee, when a person ceases to be a District employee, except that sick leave privileges accumulated by an employee may be transferred to another California public school district at the employee's request in accordance with Education Code requirements.

- From the current Coast CCD BP 7840 titled Sick Leave

Education Code 87781, 87782, 87783, 87785, 88191, 88202

CFE/AFT, Faculty Unit Contract, Article XIV

The sick leave allowance for certificated employees on specified full-time duty assignments shall be as follows:

- Two-Semester Duty 10 days
- Ten-Month Duty 11 days
- Ten-and-a-half-Month Duty 11 days
- Twelve-Month Duty 12 days

Employees on less than full-time duty will receive proportionate sick leave allowances.
From the current Coast CCD BP 7841 titled Extended Sick Leave
Education Code 87786, 88196
CFE/AFT, Faculty Unit Contract, Article XIV

Regular certificated employees absent on extended sick leave (absent from District assignments, because of illness, for a period which exceeds the period of accumulated sick leave, with the absence beyond the accumulated sick leave period to be known as the period of extended sick leave) shall be continued on the District payroll at daily rates of pay during extended sick leave as provided by the respective agreements between the recognized representatives of full-time faculty, and part-time faculty.

The total period of absence because of illness for any certificated employee in any fiscal year cannot exceed 110 days (sick leave plus extended sick leave) unless an employee has accumulated more than 100 days sick leave privileges.

From the current Coast CCD BP 7842 titled Absences for Personal Reasons
Education Code 87815
CFE/AFT, Faculty Unit Contract, Articles XIV, XVII

Absence for personal reasons unless otherwise provided will result in salary deduction based on the number of days absent multiplied by the daily rate of pay of said employee.

Absence for personal reasons for a fractional part of a day will result in a pro-rata salary deduction.

From the current Coast CCD BP 7843 titled Unpaid Leaves
Education Code 87763, 87764, 87776
CFE/AFT, Faculty Unit Contract, Article XVII

Unpaid leaves of absence may be granted upon request to the Board of Trustees and the recommendation of the Chancellor. Such leaves will be considered, consistent with the California Education Code and the Agreement between the District and the elected faculty representative.

From the current Coast CCD BP 7844 titled Advancement on Salary Schedule While on Leave
Education Code 87422, 87423, 87763, 87764, 87767, 87768, 87769
CFE/AFT, Faculty Unit Contract, Articles XIV, XVI, XVII
Advancement on the schedule shall occur according to clear-cut and well-defined procedures in the case of leaves of absence.

1. Step (or vertical) advancement shall be restricted to those faculty members actually under contract except as otherwise provided and in employee status with the District. This includes those on sabbatical leaves and those exchange teachers covered by Education Code Sections 87422 and 87423.

2. Columnar (or horizontal) advancement takes into consideration professional improvement which should make an instructor a better faculty member. This may include college credit, travel, or approved work experience.

- From the current Coast CCD BP 7845 titled Vacation Period for Employees Changing from Ten to Twelve-Month Schedule

Education Code 87763 and 87764

Ten days of vacation with pay will be given to all certificated personnel who have had no vacation time and who have been employed by Coast Community College District on a ten-month schedule and are changed to a twelve-month schedule. Such vacation must be taken during the summer period when change in assignment is made effective.

- From the current Coast CCD BP 7866 titled Sick Leave

Education Code 87781, 87782, 87783, 87785, 88191, 88202

Each full-time District Confidential employee shall be granted sick leave (absence with full pay during illness) at the rate of twelve (12) days sick leave for a full year of service to the District, with proportionately smaller sick leave allowances for shorter periods of employment.

- From the current Coast CCD BP 7867 titled Illness While on Vacation

Education Code 88200

Should a Confidential employee become ill while on paid vacation, such an illness may be considered, upon request, to be charged to accumulated sick leave.

A request shall be made to the employee’s supervisor immediately upon return to duty. Documentation and/or a physician’s statement may be required. A portion or all of the used vacation for illness may be restored provided adequate sick leave is available.
From the current Coast CCD BP 7868 titled Extended Sick Leave

Education Code 87786, 88196

Employees of the District who are classified as Confidential shall have extended sick leave benefits as follows: Pay at not less than one half of the regular full-time rate of pay.

The total period of absence because of illness for any Confidential employee in any fiscal year cannot exceed 100 days (sick leave plus extended sick leave) unless an employee has accumulated more than 100 days sick leave privileges.

From the current Coast CCD BP 7869 titled Absence Due to Death in Immediate Family

Education Code 87781.5, 87784, 87788, 88194, 88207

Any District Confidential personnel experiencing a death in his or her immediate family may be granted leave by the Chancellor or designee, without loss of pay, for periods not to exceed three days for each bereavement (or not to exceed five days for each bereavement if a 250 mile one-way travel is necessary).

Members of the immediate family shall mean the step or natural child, mother, father, brother, sister, brother-in-law, sister-in-law, mother-in-law, father-in-law, grandmother, grandfather, grandchild of the employee or employee's spouse, and the spouse, son-in-law, daughter-in-law of the employee, or any person living in the immediate household of the employee. Persons other than relatives as noted herein who may have been reared by or with the employee will be considered as relatives for bereavement purposes. Under special circumstances, and with the approval of the Vice Chancellor for Human Resources or designee, other persons may be considered as relatives for purposes of granting bereavement leave.

From the current Coast CCD BP 7870 titled Absence Due to Personal Necessity

Education Code 87781.5, 87784, 87788, 88194, 88207

District Confidential personnel may use as many as seven (7) days of accumulated sick leave in any school year for instances of personal necessity for the following reasons:

- Death of a member of the employee's immediate family (in addition to excused absence for this reason as described under the Board Policy titled “Absence Due to Death in Immediate Family”).
- Accident or illness involving his person or property or the person or properly of a member of his immediate family.
• Appearance in any court or before any administrative tribunal as a litigant, party, or witness under subpoena or any order made with jurisdiction.
• Birth/Adoption leave—2 days maximum.
• Personal business leave—3 days maximum

❖ From the current Coast CCD BP 7871 titled Absence Because of Quarantine, Subpoena as Witness, Jury Duty

Quarantine:
District Confidential personnel shall continue to receive remuneration from the District at the regular rate of pay for such period or quarantine by city or county health officers because of another person’s illness.

Education Code 87765, 88199

Subpoena as Witness:
District Confidential personnel subpoenaed as a witness shall be paid by the District, for such time as responsibilities as a witness require them to be absent from the District assignment, at the regular rate of pay less the amount of the fees received for serving as a witness.

Education Code 87035

Jury Duty:
A. The District agrees to grant to an employee called for jury duty, in the manner provided by law, leave of absence without loss of pay for the time the employee is required to perform jury duty. The District may require verification of jury duty time served.
B. An employee called for jury duty must notify the District of the service date(s) upon receiving said notice from officers of the court.
C. The District shall grant full compensation. Fees received by the employee, excluding travel and subsistence expenses, shall be remitted to the District.

Education Code 87035, 87036, 88207

❖ From the current Coast CCD BP 7873 titled Holidays and Vacation, Confidential

Education Code 79020, 79021, 88197, 88200, 88203, 88205, 88206

Confidential employees shall be entitled to holidays as designated in the District calendar.
Confidential employees are entitled to 22 vacation days for each full year of service. Proportionate vacation allowance will be granted for periods of service of less than one year.

Vacation shall be in addition to other holidays granted by the Board of Trustees during any given school year.

Scheduling and approval of vacations should be agreed upon by the employee and his/her immediate supervisor.

Employees who terminate or retire generally will be required to use accrued vacation prior to the termination date, except that any unused accrued vacation may be paid in a lump sum upon:
   a. Termination or retirement from district employment; or
   b. Board approval of leave of absence.

Confidential employees will be permitted to carryover no more than the equivalent of one year of vacation accrual. In addition to the year’s worth of days carried over, Confidential employees will have access to the current year’s vacation accrual as well. Monthly posting of earned vacation will not be made to any Confidential employee who has any excess of one year’s worth of earned vacation days. The maximum carryover vacation balance becomes effective July 1, 2008.

Confidential personnel who receive an accumulated vacation day payout in excess of $2,500 at separation from service or retirement from the District shall defer those amounts as an employer contribution to a third-party administrator. Confidential personnel who are entitled to an accumulated vacation day payout for an amount less than $2,500 have the option to defer those amounts as an employer contribution to a third-party administrator.

The third-party administrator accepts on behalf of the Confidential employee the accumulated vacation lump sum payment, into an investment account for the benefit of the employee. The employee and the third-party administrator will coordinate the receipt of the vacation lump sum payout either through periodic payments over a certain period of time or a lump sum distribution after separation from the District.

The lump sum payment to the third-party administrator contractor is authorized through the Internal Revenue Service Code 401.

❖ From the current Coast CCD BP 7889 titled Sick Leave

Education Code 87781, 87782, 87783, 87785, 88191, 88202

Each full-time District Management employee shall be granted sick leave (absence with full pay during illness) at the rate of twelve (12) days sick leave for a full year of service
to the District, with proportionately smaller sick-leave allowances for shorter periods of employment.

❖ From the current Coast CCD BP 7890 titled Illness While on Vacation

Education Code 88200

Should a Management employee become ill while on paid vacation, such an illness may be considered, upon request, to be charged to accumulated sick leave.

A request shall be made to the employee's supervisor, immediately upon return to duty. Documentation and/or a physician's statement may be required. A portion or all of the used vacation for illness may be restored provided adequate illness leave is available.

❖ From the current Coast CCD BP 7891 titled Extended Sick Leave

Education Code 87786, 88196

Employees of the District who are classified as Management shall have extended sick leave benefits as follows:

- Certificated Employees: Pay at full-time rate less one-half of full-time rate OR less the rate of pay given a substitute employee, whichever provides the greater remuneration for the regular employee.
- Classified Employees: Pay at not less than one-half of the regular full-time rate of pay.

The total period of absence because of illness for any District employee in any fiscal year cannot exceed 100 days for classified employees nor more than 110 days for certificated employees (sick leave plus extended sick leave) unless an employee has accumulated more than 100 days sick leave privileges.

❖ From the current Coast CCD BP 7892 titled Leaves of Absence

Leaves of absence may be granted by the Board of Trustees for good and sufficient reasons. Requests for such leaves shall be reviewed by the Chancellor or designee prior to presentation to the Board of Trustees for their consideration. The Chancellor's or designee's recommendation shall accompany the request to the Board of Trustees.

❖ From the current Coast CCD BP 7895 titled Absence Due to Death in Immediate Family

Education Code 87781.5, 87784, 87788, 88194, 88207
Any Management personnel experiencing a death in his or her immediate family may be granted leave by the Chancellor or designee, without loss of pay, for periods not to exceed three days for each bereavement (or not to exceed five days for each bereavement if a 250 mile one-way travel is necessary).

Members of the immediate family shall mean child, mother, father, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandmother, grandfather, grandchild of the employee or employee's spouse, the spouse, son-in-law, daughter-in-law of the employee, or any person living in the immediate household of the employee. Persons other than relatives as noted herein who may have been reared by or with the employee will be considered as relatives for bereavement purposes. Under special circumstances, persons other than those noted previously may be considered as immediate family. Faculty will be granted bereavement leave for these other persons on approval of the appropriate College Administrator.

From the current Coast CCD BP 7896 titled Absence Due to Personal Necessity

Education Code 87781.5, 87784, 87788, 88194, 88207

Management personnel may use as many as six days of accumulated sick leave in any school year for instances of personal necessity for the following reasons:

- Death of a member of the employee’s immediate family (in addition to excused absence for this reason as described under the Board Policy titled “Absence Due to Death in Immediate Family”).
- Accident or illness involving his person or property or the person or property of a member of his immediate family.
- Appearance in any court or before any administrative tribunal as a litigant, party, or witness under subpoena or any order made with jurisdiction.
- Paternity leave - 1 day maximum.
- Necessary business leave - 3 days maximum.
- Personal Leaves - 3 days maximum.

From the current Coast CCD BP 7897 titled Absence Because of Quarantine, Subpoena as Witness, Jury Duty

Quarantine:
Management personnel shall continue to receive remuneration from the District at the regular rate of pay for such period of quarantine by City or County Health Officers because of another person’s illness.

Education Code 87765, 88199
Subpoena as Witness:
Management personnel subpoenaed as a witness shall be paid by the District for such time as responsibilities as a witness require to be absent from the District assignment, at the regular rate of pay less the amount of the fees received for serving as a witness.

Education Code 87035

Jury Duty:
A. The District agrees to grant to an employee regularly called for jury duty, in the manner provided by law, leave of absence without loss of pay for the time the employee is required to perform jury duty. The District may require verification of jury duty time served.
B. An employee called for jury duty must notify the District of the service date(s) upon receiving said notice from officers of the court.
C. The District shall grant full compensation. Fees received by the employee, excluding travel and subsistence expenses, shall be remitted to the District.

Education Code 87035, 87036, 88207

From the current Coast CCD BP 7900 titled Holidays and Vacation, Management

1. Management personnel shall be entitled to holidays as designated in the District calendar.
2. Management employees employed full-time (12 months) are entitled to 22 vacation days for each full year of service. Such vacation may be taken in the school year following the year in which it was earned.
3. Vacation shall be in addition to other holidays granted by the Board of Trustees during any given school year.
4. Management shall also be granted one administrative holiday. Administrative holidays are not cumulative and will be eliminated entirely, effective July 1, 2008.
5. Management personnel employed full-time for less than twelve months shall receive pro-rata vacation.
6. Time of vacation to be taken is at the discretion of the Chancellor or designee. The time of vacation of the Chancellor shall be at the discretion of the Board of Trustees.
7. Employees who terminate generally will be required to use accrued vacation prior to the termination date, except that any unused accrued vacation may be paid in a lump sum upon:
   a. Termination from district employment; or
   b. Board approval of leave of absence; or
   c. Change of status from Management to faculty status.
8. Management personnel will be permitted to accumulate forty-four days of vacation. Vacation days will not be earned beyond forty-four days effective July 1, 2003. Effective July 1, 2008, the District will allow managers a maximum vacation carryover of 22 days per year. Managers will submit to their supervisors a tentative vacation schedule by August 31 of each year to be adjusted as needed.

Upon retirement from the District, Management employees with accumulated vacation will be paid a lump sum payment for accumulated days of vacation through the third party administrator.

❖ From the current Coast CCD BP 7901 titled Lump Sum Vacation Payment

Management personnel who receive an accumulated vacation day payout at separation from service or retirement from the District shall defer those amounts as an employer contribution to a third party administrator.

The third party administrator accepts, on behalf of the manager, the accumulated vacation lump sum payment into an investment account for the benefit of the employee.

The employee and the third party administrator will coordinate the receipt of the vacation lump sum payout either through periodic payments over a certain period of time or a lump sum distribution after separation from the District.

The lump sum vacation payment to the third party administrator contractor is authorized through the Internal Revenue Service code 401.

Date Adopted:
(Replaces current Coast CCD Policies 7818, 7820, 7840, 7841, 7842, 7843, 7844, 7845, 7866, 7867, 7868, 7869, 7870, 7871, 7873, 7889, 7890, 7891, 7892, 7895, 7896, 7897, 7900, and 7901)