

Treasure Valley Community College

Code: **GDBD**
Adopted: 10/20/98; 2/17/04
Readopted: 10/14/09; 2/15/11
Orig. Code(s): 402-4; 403-7; 403-11; 603-2;
AR 300-17

Leaves of Absence

Unless otherwise stated, these leaves of absences apply to non-represented staff only, and do not apply to part-time (< .5 full time equivalent) or temporary employees.

Leaves of absence for faculty are stated within their collective bargaining agreement.

Jury Duty/Court Witnesses

An employee subpoenaed for jury duty or as a court witness may be granted leave with pay. An employee will notify his/her immediate supervisor and will pay the College the amount of compensation or per diem fees (excluding mileage and meals reimbursement) paid to the employee for such duty. A copy of the subpoena will be filed with the Leave Request. Upon being excused from jury service or as a witness before the end of a normal workday, the employee shall immediately notify his/her supervisor for assignment for the remainder of the regular workday.

Leave without loss of pay will be granted for appearances before a court, judicial or quasi-judicial body as a witness in response to a subpoena or other direction by proper authority when such appearance is a result of the employee's official duties for the College. The compensation paid to an employee as a witness fee or other per diem when a College vehicle is used shall be paid to the College. The College's obligation is to hold the job open for as long as the duty lasts; therefore, the College has discretion to limit the amount of paid leave for jury or witness duty.

This policy does not apply to employees who are involved in personal legal actions as defendants in a criminal case or as a party in a civil case.

Unpaid Leave of Absence

Employees with a minimum of three year's consecutive full-time service may be granted a leave of absence without pay for justifiable reasons or participation in personal, constructive or educational activities as determined and approved in writing by the dean and President. Leaves will not be approved for the purpose of accepting employment outside the service of the College. Leave without pay may only be utilized once all accrued vacation, sick leave and other paid leave is exhausted. A leave of absence shall be for a maximum of one year. Failure to return for assignment at the expiration of a leave of absence shall voluntarily terminate the relationship between the employee and College. Nothing herein shall deny any employee an unpaid leave of absence pursuant to federal or state parental and family medical leave acts.

Administration has discretion to approve or limit the requested leave of absence based on workload and staffing requirements. Requests for such leave must be made using the Leave Request form and include a detailed explanation of the reason for the requested absence. Requests shall be submitted in sufficient time to allow reasonable time for review. A response to such a request will be given within two weeks.

During unpaid leaves of 30 days or more, the employee shall not accrue any benefits; however, arrangements may be made with Human Resources for the employee to pay the full costs of group insurance benefits, if approved by the insurance carrier. If the employee does not maintain insurance during the unpaid leave and returns to work, reinstatement of benefits will be governed by the terms of the insurance carrier policies.

Personal Leave

Administrative and professional employees receive 16 hours of personal leave each fiscal year; pro-rated for employees working more than half-time but less than full time. Hours will be pro-rated based upon the employee's hire date. Personal leave may be used for legal, business, educational, household or family matters, or emergencies that cannot be attended to during non-work hours. Personal leave may not be used for recreational events or vacation. Personal leave does not carry over, and is lost at the end of each fiscal year. Personal leave is not paid out upon termination of employment.

This policy does not apply to part-time (< .5 full time equivalent) or temporary employees. Leaves of absence for faculty are stated in the collective bargaining agreement.

Bereavement Leave

Eligible employees will be granted up to three work days of leave with pay in the event of a death in the immediate family. Eligible employees are full-time or those working more than half-time but less than full time. "Immediate family" includes parent, child, spouse or domestic partner, present mother-in-law or father-in-law, sister, brother, sister-in-law, brother-in-law, son-in-law, daughter-in-law, grandparent, grandchild, or legal dependents who live in the employee's household. Up to an additional three work days may be used for the purpose of travel connected with attendance at the funeral or making arrangements, which shall be deducted from the employee's sick leave.

Vacation leave may be used to cover non-eligible funerals or insufficient sick time as noted above.

END OF POLICY

Legal Reference(s):

[ORS 341.290\(2\)](#)
[ORS 342.545](#)
[ORS 342.610](#)
[ORS 408.290](#)

[ORS 659A.150 - 659A.186](#)
[OAR 839-009-0200 to -0320](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).
Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601-2654 (2006); Family and Medical Leave Act of 1993, 29 C.F.R. Part 825 (2006).
Consolidated Omnibus Budget Reconciliation Act of 1985, 42 U.S.C. §§ 300bb-1 - 300bb-8 (2006).
I.R.C. § 4980B(f)(4) (2006).
Employment and Reemployment Rights of Members of the Uniformed Services, 38 U.S.C. §§ 4301-4334 (2006).
National Defense Authorization Act of 2008, Public Law 110-181, Section 585(a).

Cross Reference(s):

GBDA - Mother Friendly Workplace