

CCS Administrative Procedure

2.40.01 – B General Leave Administration

Implementing Board Policy [2.40.01](#)
Contact: Employee Compensation

1.0 Leave Administration Objective and Responsibilities (summary of Board of Trustees Policy 2.40.01)

Community Colleges of Spokane will provide and administer a program for employee leaves of absence in a manner that will both serve the well-being of faculty and staff and the organization as a whole.

- 1.1 All employee categories are covered except where specified within this procedure or modified by applicable collective bargaining agreements. Accrual and leave use requirements for bargaining unit employees are as outlined in the applicable collective bargaining agreement or rule.
- 1.2 The Chief Financial Officer is responsible for ensuring leave is administered in good faith and consistent with the rights and responsibilities provided by statute or this procedure and for providing information and training specific to these rights and responsibilities.
- 1.3 Managers are responsible for managing their staff's leaves and keeping both the employee and the Human Resources Office informed of changes in status, rights and need for information. Additionally, managers are responsible for ensuring that no employee returns to work without the appropriate medical release.
- 1.4 Employees are responsible for reporting leaves and providing the notice and information necessary for CCS to effectively administrate this procedure and direct its workforce.
- 1.5 The integrity of the leave approval and reporting process is critical for accountability purposes. State regulations require that all employees be either at work or on approved leave during a pay period. Accurate and timely leave reporting by all employees is necessary to meet standards and criteria for reporting outcomes, costing programs, and safety and liability purposes.
- 1.6 Application: Leave administration procedures for represented classified staff and faculty will be determined by the applicable collective bargaining agreement. Leave administration procedure for non-represented classified staff is determined by [WAC 357-31-230](#) and, where applicable, this procedure. Leave administration procedure for administrative and exempt employees is determined by Administrative Procedure [2.40.01-C](#). The general leave procedures included in 2.40.01-B are applicable to classified, administrative, exempt staff and faculty.

2.0 Definitions

The following definitions are specific to the terms of this procedure and do not modify or revise similar terms as used in related procedures or collective bargaining agreements.

- 2.1 Bereavement: leave, subject to verification, provided when an employee's family member (as defined in section 2.6) dies.
- 2.2 Compensatory Time (CTO): accrued by overtime eligible staff in lieu of pay for hours worked in excess of 40 hours a week. An employee benefit, usage subject to advance supervisory approval, providing paid release from work for personal reasons. CTO is the primary account balance for personal leave and must be exhausted prior to use of vacation.
 - 2.2.1 Compensatory time balances will be cashed out and charged to the current department budget before the employee transfers, promotes or demotes to a position outside of that department.

- 2.3 Cyclic leave without pay: unpaid approved absence which may be used within the cyclic calendar and which does not affect seniority.
- 2.4 Emergency health condition: a sudden, generally unexpected occurrence or set of circumstances related to a person's health, which requires immediate action and is typically short-term in nature.
- 2.5 Employee Compensation Office: also known as the Payroll or Payroll Office.
- 2.6 Family members (bereavement): Includes mother, father, sister, brother, mother-in-law, father-in-law, spouse, grandparent, grandchild, son, daughter, stepchild, and a child in the custody of and residing in the home of an employee.
- 2.7 Family members (other leave): includes parent, step-parent, parent-in-law, sister, brother, spouse, grandparent, grandchild, minor/dependent child, and child. Also includes persons who reside in the same home who have reciprocal duties to and do provide financial support for one another. Does not include persons sharing the same house when the living style is primarily that of a dormitory or commune.
- 2.8 Leave of absence: a paid or unpaid approved absence from work for a specified period of time for medical, parental, or personal reasons.
- 2.9 Leave without pay: unpaid approved absence which affects seniority.
- 2.10 Personal holiday: an employee benefit, usage subject to advance supervisory approval, providing paid release from work for personal reasons where the employee is scheduled to be, or has been, continuously employed for at least four months. Personal holiday must be used within the calendar year. The personal holiday must be taken as a full day unless donated as shared leave.
- 2.11 Personal leave: contractually provided leave, subject to advance supervisory approval.
- 2.12 Sick leave: an employee right, exercised subject to qualification, accrual and reporting, which provides paid release from work for reasons of personal illness or injury or the illness/injury of family members (as defined by 2.7). May also be used for treatment and care related to the illness/injury.
- 2.13 Vacation leave: an employee benefit, usage subject to advance supervisory approval, providing paid release from work for personal reasons. Vacation leave balances shall be allowed for reasons of family care emergencies or for an emergency health condition, subject to verification.

3.0 General Provisions

- 3.1 Leaves will start on the date requested or date of need. Modification of these dates must be approved by the immediate supervisor and may require additional certification. Revisions must be signed by the employee and supervisor and submitted to the Employee Compensation Office.
- 3.2 Failure to return to work upon the expiration of a leave (or failing to notify the immediate supervisor, or designee, of the reason return dates will not be maintained) will be considered voluntary resignation.
- 3.3 Monthly accruals are credited to the employee's leave account as of the last day of each month. Paid leave may not be used in advance of its accrual.

- 3.4 Family Medical Leave (FMLA) will run concurrently with all other forms of leave where the purpose of the leave qualifies for FMLA. See Administrative Procedure [2.40.01 – A](#) for information.
- 3.5 Accrued leave (sick and vacation leave) will not be awarded in any month an employee is on an approved leave of absence without pay (LWOP) that exceeds ten working days.
- 3.6 Inclement weather: when inclement weather conditions cause an employee to be absent or late to work, accrued leave may be utilized in the following order, as applicable:
 - 3.6.1 Compensatory time
 - 3.6.2 Vacation or personal leave/holiday
 - 3.6.3 Sick leave, limited to a maximum of 3 days in any calendar year, or
 - 3.6.4 Leave without pay at the request of the employee(See Administrative Procedure [2.30.05 – A](#) for additional information)

4.0 Requesting Leave

Leave requests shall be made to the employee's immediate supervisor using the request and reporting processes required within that work unit. An employee must request leave in advance of use when the need for the leave or absence is foreseeable, including but not limited to medical treatments or other events planned or known in advance.

- 4.1 When considering requests for vacation, personal or compensatory time off, the immediate supervisor shall consider the request of the employee but may instead require that leave be taken when it will least interfere with the operational needs of the work unit.
- 4.2 One hour of leave with pay will be granted to an employee, subject to operational necessity, when that employee is scheduled to take an examination or participate in an interview for a position with a state employer, including CCS, during scheduled work hours. No more than four hours may be collectively granted per fiscal year.

5.0 Approval of Leave

All leave requests or report of leave use is subject to the approval of the immediate supervisor. The immediate supervisor will notify the employee as soon as practical following request/report whether or not the request was approved. Requests may be denied where the absence would interfere with operational needs.

6.0 Documentation of Leave

- 6.1 Leave usage shall be documented on the "Leave Authorization Form" or an automated system prescribed by CCS, signed (submitted) by the employee, supervisor and forwarded to the Employee Compensation Office no later than the first working day following the end of the pay period.
- 6.2 If the employee is unavailable to complete leave forms, the supervisor is responsible for providing leave forms, minus employee signature, to the Employee Compensation Office by the appropriate deadline.

7.0 Leave Accrual and Use

Leave accrual and use for represented classified staff and faculty will be administrated consistent with the terms of the applicable collective bargaining agreements. Non-represented classified staff leave will be administrated consistent with [WAC 357-13](#). Leave for exempt employees will be administrated consistent with Administrative Procedure [2.40.01 – C](#).

8.0 Bereavement Leave

The employee is entitled up to three (3) days of paid bereavement leave for the death of a family member (as defined by 2.6). CCS reserves the right to request verification of the leave need. At the immediate supervisor's discretion, use of other paid leave and/or leave without pay may be used to extend the bereavement period.

9.0 Civil Duty Leave

- 9.1. Jury Duty: A leave of absence with pay shall be granted to employees required to report for jury duty service. Verification of service (i.e. copy of summons) shall be attached to the appropriate leave form and forwarded to the Employee Compensation Office. Employees are allowed to keep any compensation they receive for serving as a member of a jury in addition to their regular pay.
- 9.2. Subpoena: A leave of absence with pay shall be granted to employees served subpoena when the employee has been subpoenaed on the employer's behalf or the subpoena is otherwise for a legal proceeding which is unrelated to the personal or financial matters of the employee.
- 9.3. Other Civil Duty: An immediate supervisor may grant leave with pay for an employee to perform other civil duties including, but not limited to, fire fighting, search and rescue efforts or donation of blood. Proof of service may be required.

10.0 Military Leave And Military Family Leave

- 10.1. Employees shall be granted military leave with pay not to exceed twenty one (21) working days during each year, beginning October 1st and ending the following September 30th, in order to report for active duty or take part in active training duty.
- 10.2. Military leave with pay is in addition to any other leave to which an employee is entitled and does not reduce benefits, performance ratings, privileges, or pay.
- 10.3. Military leave without pay shall be granted for service in the uniformed services of the United States or the State of Washington.
- 10.4. Requests for military training leave will not be granted without military orders identifying the active duty assignment. Written military orders should accompany requests for military training leave. If written orders are not available or if it is not reasonably possible to obtain written orders, verbal orders may be accepted in lieu of the written orders.
- 10.5. Requests for Military Family Leave will be granted during a period of military conflict when an employee's spouse has been notified of an impending call or order to active duty. The employee may request up to fifteen (15) days of leave without pay or may substitute accrued leave for any part of the Family Military Leave. The employee must provide five (5) business days notice and the military orders with the leave request.

11.0 Domestic Violence Leave

Employees may take reasonable leave from work, intermittent leave, or leave on a reduced schedule for specified activities related to an employee or family member being a victim of domestic violence, sexual assault, or stalking. Employees may take Domestic Violence Leave with or without pay. The employee may choose to use sick leave or other paid leave, compensatory time, or unpaid leave at the employee's discretion.

- 11.1 An employee must give advanced notice of leave to the Human Resources Office unless advanced notice cannot be given because of an emergency due to domestic violence. If

advanced notice cannot be given the employee or the employee's designee must give notice within a reasonable time period during or after the leave.

- 11.2 An employee may satisfy the verification requirement of the need for leave by providing one or more of the following: A police report indicating the employee or employee's family member was a victim of domestic violence, sexual assault, or stalking; A court order protecting or separating the employee or employee's family member from the perpetrator or other evidence from the court and/or the prosecuting attorney that the employee or employee's family member appeared, or is scheduled to appear, in court; Documentation the employee or the employee's family member is a victim of domestic violence, sexual assault, or stalking from one of the following persons: An advocate for the victims; an attorney; a member of the clergy; or a medical or other professional; or An employee's written statement that the employee or the employee's family member is a victim of domestic violence, sexual assault, or stalking and that the leave taken was for one of the purposes described in 11.4 below.
- 11.3 An employee is not required to produce or discuss any information beyond the scope of the verification, or that would compromise the employee's or family member's safety. CCS will maintain the confidentiality of all notice and verification information unless requested or consented to by the employee, ordered by a court or administrative agency, or otherwise required by law.
- 11.4 An employee may take reasonable leave from work, intermittent leave or leave on a reduced leave schedule to: Seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or employee's family members; Participate in any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault or stalking; Seek treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault, or stalking, or attend to health care treatment for a victim who is the employee's family member; Obtain or assist a family member in obtaining, services from a domestic violence shelter, rape crises center, or other social services program; or Participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members from future domestic violence, sexual assault, or stalking.

12.0 Leave Without Pay

- 12.1 Leave without pay may be allowed for any of the following reasons and in accordance with [WAC 357-31](#), applicable provisions of a collective bargaining agreement, or this or other administrative procedure:
- 12.1.1 For any reason leave with pay may be granted, as long as the conditions for leave with pay are met, including prior approval.
- 12.1.2 Education leave (see Administrative Procedure [2.40.01 – D](#))
- 12.1.3 Leave for government service in the public interest (see section 9.0)
- 12.1.4 Military leave of absence (see section 10.0)
- 12.1.5 Parental leave (see Administrative Procedure [2.40.01 – A](#))
- 12.1.6 Family care emergencies (see Administrative Procedure [2.40.01 – A](#))
- 12.1.7 Bereavement or condolence (see section 8.0)
- 12.1.8 Absence due to inclement weather (see Administrative Procedure [2.30.05 – A](#))
- 12.1.9 To accommodate annual work schedules of employees occupying cyclic year positions
- 12.1.10 Serious health condition of an eligible employee's family member (see Administrative Procedure [2.40.01 – A](#))
- 12.1.11 Leave taken voluntarily to reduce the effect of a layoff or reduction in force see (Administrative Procedure [2.00.01 – G](#))
- 12.1.12 Leave that is authorized in advance by the appointing authority as part of plan to reasonably accommodate a person with disability (see Administrative Procedure [2.30.01 – B](#))
- 12.1.13 Employees receiving time loss compensation due to a work-related injury or illness that is compensable under the state workers' compensation law.

- 12.2 Leave without pay must be requested of and, where practical, approved in advance by the immediate supervisor. Unapproved leave without pay may be cause for disciplinary action up to and including termination or automatic resignation.
- 12.3 Leave without pay may not be approved for any period exceeding twelve (12) months, except for extensions as may be provided in the applicable collective bargaining agreement.
- 12.4 Except where modified by an applicable collective bargaining agreement, leave without pay will not exceed twelve (12) months in any five (5) rolling year period which begins with the first occurrence.

13.0 Shared Leave Program

- 13.1. CCS provides a shared leave program to permit employees to come to the aid of another employee who has been called to service in the uniformed services, is a victim of domestic violence, or who is suffering from or has a family member suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition which has caused or is likely to cause the employee to take leave without pay or terminate employment. CCS will also provide assistance to employees who have been called to military service with the Washington State Uniformed Shared Leave Pool.
- 13.2. Employees may donate vacation leave, sick leave or all or any part of personal holiday leave to another Washington state employee.
- 13.3. This program shall be administered consistent with [WAC 357-31](#) and any provisions of an applicable collective bargaining agreement. An employee may receive a maximum of 261 days of shared leave.
- 13.4. An employee may donate leave as follows:
 - 12.4.1. Vacation leave: The donor's balance, after donation, may not fall below 80 hours.
 - 12.4.2. Sick leave: The donor's balance, after donation, may not fall below 176 hours.
 - 12.4.3. Personal Holiday: Donor may donate all or part of personal holiday.

14.0 Annual Sick Leave Cash Out

Pursuant to the authority granted by Chapter [41.04.RCW](#), Community Colleges of Spokane shall allow cash payment for a portion of qualified employee's unused sick leave under specified conditions.

- 14.1. Eligible Employees: Eligible employees shall include faculty, administrative, professional exempt, confidential exempt, and classified employees CCS who are entitled to accumulate compensable sick leave.
- 14.2. Compensation for Unused Sick Leave: Each January, employees are eligible to receive an annual cash payment for accrued sick leave as follows:
 - 14.2.1. Their sick leave balance at the end of the previous calendar year must exceed 60 days; and
 - 14.2.2. No sick leave days may be converted which would reduce the calendar year-end compensable balance below four hundred and eighty (480) hours; and
 - 14.2.3. Employees should request the Employee Compensation Office by January 31st to convert sick leave hours earned during the previous calendar year, minus any sick leave hours used during the previous year, to cash, subject to mandatory taxes.
 - 14.2.4. The calculation shall be based upon 25% of each day converted and shall be calculated at the employee's current salary. For employees working less than 100%, the above limits shall be based on a percent of full time.

15.0 Sick Leave Cash Out at Retirement or Death of Employee

- 15.1. Employees who separate from CCS due to retirement or death shall be compensated for unused accrued compensable sick leave at the rate of twenty-five percent (25%). Such compensation shall be based upon the employee's salary at the time of separation.
 - 15.1.1. For the purposes of this sub-section, retiring employees shall be defined as employees who meet the applicable age/years eligibility requirements under the rules and regulations of the Public Employee Retirement System (PERS), the Washington State Teacher's Retirement System (WSTRS), or for individuals under TIAA/CREF: (a) twenty (20) years of service, or (b) fifty-five (55) years of age and ten (10) years service, or (c) sixty (60) years of age and five (5) years of service.
 - 15.1.2. The Board of Trustees has authorized administration to provide employee groups with the option of participating in a medical expense reimbursement plan, called VEBA (see Administrative Procedure [2.20.01-F](#)). If this option has been implemented by a majority vote of eligible participants, all participants in the employee group are required to convert the sick leave cash out at retirement to a VEBA account in accordance with applicable IRS regulations. Sick leave cash out to VEBA is not subject to federal income tax or social security tax.
- 15.2. Exclusions: Compensation for unused sick leave shall not be used in computing the retirement allowance; therefore, no contributions are to be made to the employee's retirement plan for such payments, nor shall such payments be reported to the employee's retirement plan as compensation.
 - 15.2.1. An employee who separates from CCS for any reason other than retirement or death shall not be paid for his/her compensable sick leave balance.
 - 15.2.2. Under no circumstances shall an employee receive monetary compensation for noncompensable sick leave.

16.0 Noncompensable Sick Leave

[RCW 41.04](#) provides state employees with an attendance incentive program which provides for accrual of sick leave which may be converted to cash under the provisions of the "Annual Sick Leave Cash Out" or "Sick Leave Cash Out at Retirement or Death" (see above). Leave balances earned prior to this provision are "Noncompensable Sick Leave". Although noncompensable sick leave may not be converted to cash, such leave may be used at such time that compensable sick leave balance has been exhausted.

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