

COMPULSORY LEAVE

Per Ed Code 45304(b) and (c): An employee who is charged with a mandatory or optional leave of absence offense as defined in Ed Code section 44940(a) and (b) shall be placed on an unpaid leave of absence. Such an employee shall be considered to be on “compulsory leave” and subject to all rules and regulations pertaining to such leave as set forth in Education Codes sections 44940 and 44940.5.

CATASTROPHIC LEAVE

The catastrophic illness program is to address the need of an individual who has been incapacitated and who has exhausted all leave benefits, vacation, and other paid time off. It is understood that this leave program is intended for exceptional cases, and is not to be considered or treated as a routine extension of paid status for those who have by previous absences used up their sick leave and vacation leave if applicable. Catastrophic Leave is not automatic because you are a member you must submit a request.

Who Qualifies: Those employees who voluntarily donate accrued sick leave to the bank.

How to apply: Submit a request to the Catastrophic Leave Committee indicating your request for withdrawal from the Catastrophic leave bank. Include dates of your intended absence and attach certification from your physician regarding your condition.

You will then be notified in writing by Human Resources of the decision.

“Catastrophic illness” means an illness that is expected to incapacitate the employee for over ten (10) consecutive days or incapacitate a member of the employee’s family, defined as mother, father, children, registered domestic partner, or spouse for over (10) consecutive duty days which requires the employee to take time off work during that entire period of time to care for that family member .

UNPAID LEAVE OF ABSENCE

An employee may request an unpaid leave of absence by completing the appropriate form obtained through Human Resources. The form once completed will be reviewed by the Asst. Supt. Of Human Resources, Paul Fawcett, and the employee will receive a response in writing as to whether the request was approved or denied. Any attached documentation supporting your need for the leave should be attached to the form when it’s submitted.

Employees on District approved unpaid leaves of absence shall have the option to receive District health and welfare benefit coverage(s) for the period of the leave. An employee who elects to continue benefits must submit the total cost of the monthly premium payment (both District and employee contributions to the District) to keep insurance current. Further information may be obtained by contacting at Anastacia Malm 474-3000 ext. 1192.

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: Lucia Mar does not pay into State Disability. :
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: **District Contacts:** :
: **Employee Leaves - Cyndie Clark** :
: HR Technician :
: (805) 474-3000 ext 1195 :
: **Health Benefits - Anastacia Malm** :
: HR Technician :
: (805) 474-3000 ext 1192 :
: **Payroll - Heather Reutzel ext. 1050** :
: Melodie Dean ext. 1056 :
: Michelle Molnar ext. 1072 :
: Classified Payroll :
: (805) 474-3000 :
: **AESOP - Linda Botrell** :
: AESOP Coordinator/HR Clerk :
: (805) 474-3000 ext 1199 :
: **All other Classified Information** :
: - Linda Stewart/ HR Tech. (805) 474-3000 ext 1193 :
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LUCIA MAR UNIFIED SCHOOL DISTRICT

Classified Employee Leaves

~Engage ~ Challenge ~ Inspire

This brochure contains information regarding:

- ~Sick Leave
- ~Family Medical Leave Act (FMLA)
- ~ Pregnancy Disability Leave
- ~Parental Bonding Leave
- California Family Rights Act
- ~Extended Illness Leave/
Differential Pay
- ~Industrial Accident Leave
- ~Compulsory Leave
- ~Catastrophic Leave
- ~Unpaid Leave of Absence



SICK LEAVE

Per CSEA Contract Article IX:

An employee employed five (5) days a week for the full fiscal year by a school district shall be granted twelve (12) days of leave of absence for illness or injury. An employee employed for five (5) days a week and for less than a full fiscal year is entitled to that proportion of twelve (12) days leave of absence for illness or injury as the number of months he/she is employed bears to twelve. An employee employed less than five (5) days per week shall be entitled, for a fiscal year of service, to that proportion of twelve (12) days leave of absence for illness or injury as the number of days he/she is employed per week bears to five. If such persons are employed for less than a full fiscal year of service the preceding paragraph shall determine that proportion of leave of absence for illness or injury to which they are entitled.

How to Use Your Leave:

Sick Leave—Self

Personal Necessity Leave—Children, Spouse, or personal business

Personal Leave—anything else

***Both Personal Necessity/Personal Leave are subtracted from your sick leave balance.**

FAMILY MEDICAL LEAVE ACT/FMLA

FMLA is twelve (12) work weeks of unpaid time off. The three (3) months of unpaid family care leave shall run concurrently with other paid leaves from the date of employer notice that the employee has qualified for such leave, except that the three (3) months of family care and medical leave shall run consecutively to any leave taken because of disability on account of pregnancy, childbirth, or related medical conditions.

Employees are eligible if they have worked for their employer for at least one year and for 1,250 hours and must have one of the following reason for requesting the leave:

- **Birth of a child**
- **Placement of a child for adoption or foster care.**
- **A serious health condition of your spouse, child or parent.**
- **Your own serious health condition.**

An employee must request FMLA prior to taking the leave and doing so by completing the Leave Request form in the Lucia Mar Leaves Packet. Physician's certification is required. The LMUSD Leave packet may be obtained by contacting Cyndie Clark at 474-3000 ext. 1195.

MATERNITY/PREGNANCY DISABILITY LEAVE

Under California Fair Employment and Housing Act if you are disabled by pregnancy, childbirth or related condition you are eligible for PDL. PDL is for any period of actual disability by your pregnancy, childbirth or related medical conditions up to four months (or 88 work days for a full time employee) per pregnancy. Physician's Certification will be required. PDL is used in conjunction with FMLA and paid time for those who qualify.

Contact Cyndie Clark to set up an appointment to discuss your leave options.

During FMLA the district continues contributions to the employee's health insurance. If an employee does not have enough in their paycheck to cover their premiums they will need to pay that premium directly to Human Resources to continue coverage.

PARENTAL BONDING LEAVE (PBL) / CALIFORNIA FAMILY RIGHTS ACT (CFRA)

Leave under AB 375, Parental Bonding Leave (PBL)/ California Family Rights Act was modified on January 1, 2017. The new law states that any employee eligible for leave under PBL i.e. child bonding is granted 12 work weeks of differential pay. Child bonding is leave immediately following and up to one year of the birth/adoption or foster placement of a child. PBL/CFRA runs consecutive to PDL and FMLA.



EXTENDED ILLNESS LEAVE

Per Ed Code 45196: Classified employees are entitled to five (5) months of extended illness leave/differential pay. While under a doctor's care once an employee exhausts all leave balances differential pay begins.

Differential pay is calculated as follows:

Your Hourly Rate of Pay - Cost of Sub (Amount the sub is paid) = Differential Pay (the difference is the amount you are paid).

If at any time during the five (5) months of extended illness leave if the employee does not have enough in their paycheck to cover deductions and insurance premiums the employee will be responsible for their insurance premiums to continue insurance coverage. The district continues contributions to an employee's insurance while under differential pay.

Differential pay ends when the employee is cleared to return to work by their doctor.

INDUSTRIAL ACCIDENT LEAVE



An employee suffering from a work related injury is entitled to sixty (60) working days of Industrial Accident Leave. This is sixty (60) days of leave per injury per the life of the injury. IA time is used in lieu of an employee using their sick leave. If the 60 days exhausts and the employee is unable to return to full duty the employee will then use their sick leave followed by sub differential for a period of 5 months. In order to use Industrial Accident Leave the employee's claim must not be in a delayed status. This occurs when the claim is going through an investigation for reasons such as late reporting, gathering of information, clarification needed, etc. All use of Industrial Accident leave must be accompanied by a physician note and will be verified by payroll prior to granting the use of the leave.

If a claim is denied and an employee has used Industrial Accident Leave all Industrial Accident Leave will be reversed and the employee's sick leave will be charged.