

OFFICE OF THE SOLANO COUNTY SUPERINTENDENT OF SCHOOLS

Series 4000 – PERSONNEL

Policy 4161

Leaves

The Solano County Office of Education (SCOE) shall provide for paid and unpaid leaves of absence for employees in accordance with law, SCOE policy, administrative regulation, collective bargaining agreements, and individual contracts as applicable.

The SCOE recognizes the following justifiable reasons for employee absence:

1. Personal illness or injury
2. Industrial accident or illness
3. Family care and medical leave
4. Military service
5. Personal necessity and personal emergencies
6. Disability leave for certificated employees in accordance with Education Code 44986
7. Vacations for classified staff and certificated management staff, as applicable
8. Sabbaticals for purposes of study or training related to the employee's job duties
9. Attendance at work-related meetings and staff development opportunities
10. Compulsory leave

Administrative and Supervisory Personnel

Certificated administrative and supervisory employees who are not subject to SCOE's collective bargaining agreement for certificated employees shall generally be entitled to those leave provisions provided in the bargaining agreement for other certificated employees unless otherwise specified in individual contract, memorandums of understanding, policy, administrative regulation, or law.

Classified administrative and supervisory employees who are not subject to SCOE's bargaining agreement for classified employees shall generally be entitled to those leave provisions provided in the bargaining agreement for other classified employees unless otherwise specified in individual contract, memoranda of understanding, policy, administrative regulation, or law.

Differences Between Exempt and Non-Exempt Employees

Non-Exempt Employees: As a general rule, non-exempt employees who take time off or who are otherwise absent from work will not be paid for the time missed, unless the non-exempt employee has annual leave, sick leave, or other available leave that may be applied to the absence. Non-exempt employees are expected to report leaves of absence as early as possible into the online leave system, but in no event later than 8:00 AM on the day of the absence. Non-exempt employees are further expected to schedule vacation far enough in advance that arrangements can be made to ensure appropriate job coverage.

Exempt employees: To ensure that all employees are good stewards of public dollars, exempt employees are expected to use the following process for reporting leave.

- **Scenario 1:** Partial Day Leave due to “exempt status”
Exempt employees who take a partial day off from work (30 minutes or more) will be paid for the time missed, except in situations where the frequency and duration of partial day absences

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has a negative impact on the employee's work and/or the work of other employees. Exempt employees are expected to report partial day leaves of absences in SCOE's online leave system selecting EXEMPT STATUS in the Absence Reason drop-down box. Employees will be in paid status and must be available for work situations that may come up during the leave time reported in the online leave system. Employees must be available by telephone/cellular phone and email during normal work hours while on EXEMPT STATUS leave.

- Scenario 2: Partial Day Leave due to "sick leave and other available leave"
Exempt employees who take a partial day off from work due to annual leave, sick leave, or other available leave must report the leave in SCOE's online leave system selecting the appropriate box in the Absence Reason drop-down box. Employees will be in paid status but will not be considered available for work during the leave time reported in the online leave system. Exempt employees are further expected to schedule annual leave (vacation) far enough in advance that arrangements can be made to ensure appropriate job coverage.
- Scenario 3: Full Day Leave
Exempt employees who take a full day or longer off or who are otherwise absent from work for a full day or longer are expected to use annual leave, sick leave, or other available leave that may be applied to the absence. Exempt employees are expected to report absences of a full day or more as early as possible into the online leave system, but in no event later than 8:00 AM on the day of the absence. Employees are responsible for reporting their annual leave, sick leave, and other leave into the online leave system making the appropriate selection in the Absence Reason drop-down box.

Legal Reference:

EDUCATION CODE

22850-22856 Pension benefits, STRS members on military leave
44018 Compensation for employees on active military duty
44036-44037 Leaves of absence for judicial and official appearances
44043.5 Catastrophic leave
44800 Effect of active military service on status of employees
44842 Failure to provide notice or to report to work
44940 Sex offenses and narcotic offenses; compulsory leave of absence
44962-44988 Leaves of absence (certificated)
45059 Employee ordered to active military/naval duty, computation of salary
45190-45210 Leaves of absence (classified)

FAMILY CODE

297-297.5 Registered domestic partner rights, protections and benefits

GOVERNMENT CODE

3543.1 Release time for representatives of employee organizations
3543.2 Scope of representation
12945.1-12945.2 California Family Rights Act
20990-21013 Pension benefits, PERS members on military leave

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Legal Reference: (Continued)

LABOR CODE

- 230-230.2 Leaves for victims of domestic violence, sexual assault or specified felonies
- 230.3 Leave for emergency personnel
- 230.4 Leave for volunteer firefighters
- 230.8 Leave to visit child's school
- 233 Illness of child, parent, spouse or domestic partner
- 515 Exemptions

MILITARY AND VETERANS CODE

- 395-395.9 Military leave
- 395.10 Leave when spouse on leave from military deployment

UNITED STATES CODE, TITLE 29

- 201-219 Fair Labor Standards Act
- 2601-2654 Family and Medical Leave Act of 1993

UNITED STATES CODE, TITLE 38

- 4301-4334 Uniformed Services Employment and Reemployment Rights Act of 1994

Policy Cross-Reference:

- 4118 Suspension/Disciplinary Action/Dismissal
- 4131 Staff Development
- 4161.1 Personal Illness/Injury Leave
- 4161.2 Personal Leaves
- 4161.5 Military Leave