

POLICY TITLE: LEAVE OF ABSENCE: NON-MEDICAL
POLICY NUMBER: 3420

COMMITTEE APPROVAL DATE: 11/13/2018
BOARD APPROVAL DATE: 11/28/2018

WRITTEN/REVISED BY: HUMAN RESOURCES
SUPERSEDES: 01/30/2013

POLICY:

3420 It is the policy of the Beach Cities Health District (“District”) to provide eligible employees with paid or unpaid non-medical leaves of absence. The Beach Cities Health District intends at all times to comply with federal and state laws regarding leaves of absence.

SCOPE:

3420.1 This policy applies to all Beach Cities Health District employees.

RESPONSIBILITY:

3420.2 It is the responsibility of management to understand, communicate, and enforce this policy uniformly among District employees. It is the employee’s responsibility to understand this policy and provide as much advance notice as possible when requesting a non-medical leave of absence. All requests for leave are handled in a confidential manner. Employees need only to provide the minimum amount of information necessary by the District to grant the leave.

3420.3 UNPAID LEAVES OF ABSENCE:

The following leaves of absences applies to District employees whether or not assigned to a regular, designated work schedule and includes, part-time, full-time, and those employees working a flexible schedule. Although these are classified as “unpaid” leaves of absence, employees with accrued, unused Vacation hours (Vacation) may opt to use Vacation in lieu of time-off without pay.

3420.3.1 SCHOOL VISIT LEAVE:

3420.3.1.1 An employee who is a parent or guardian or grandparent having custody of children in kindergarten or grades 1 to 12 will be granted time off work of up to 40 hours each year but not more than 8 hours per month to visit a child’s school or licensed child day care facility.

3420.3.1.2 The employee shall provide as much advance reasonable notice as possible. If requested by the District, the employee must provide documentation from the school as proof that he or she visited on a specific date and a particular time.

3420.3.1.3 An employee who is a parent, guardian or grandparent having custody of a pupil who has been suspended may take time off to appear in school upon request of the school as long as the employee gives reasonable notice to the employer that he or she is requested to appear in the school. In addition, an

employee may take time off to appear in the school of a child for child suspension or expulsion proceedings, so long as the employee gives reasonable notice that he or she is requested to appear in school.

3420.3.2 VICTIMS OF DOMESTIC VIOLENCE OR SEXUAL ASSAULT:

3420.3.2.1 An employee who is a victim of domestic violence or a victim of sexual assault pursuant to California Penal Code Sections 261, 261.5, 262, 265, 266, 266a, 266b, 266c, 266g, 266j, 267, 269, 273.4, 285, 286, 288, 288a, 288.5, 289, or 311.4 will be granted time off to obtain or attempt to obtain any relief, including, but not limited to: a temporary restraining order, restraining order or other injunctive relief; to help ensure the health, safety, or welfare of the victim or his or her child to seek medical attention for injuries caused by domestic violence or sexual assault; to obtain services from a domestic violence shelter, program, or rape crisis center; to obtain psychological counseling related to an experience of domestic violence or sexual assault; to participate in safety planning and take other actions to increase safety from future domestic violence or sexual assault.

3420.3.2.2 As a condition of taking time off for the purposes herein, employee must give the District reasonable advance notice of his or her intention to take time off unless advance notice is not feasible.

3420.3.3 ELECTION OFFICER LEAVE:

An employee who serves as an election officer on Election Day for local, statewide, or special elections will be granted time off on the day of election.

3420.3.4 LITERACY ASSISTANCE:

The District will attempt to reasonably accommodate and assist an employee who reveals a problem of illiteracy and requests employer assistance in enrolling in an adult literacy educational program, provided that an employee is satisfactorily performing his or her job, and the accommodation does not impose an undue hardship on the District.

3420.3.5 MILITARY LEAVE:

A military leave of absence will be granted to an employee from work in accordance with applicable Federal and State law.

3420.3.6 PERSONAL LEAVE OF ABSENCE:

An employee may be granted leave without pay for up to 30 days by his or her supervisor. The department director and Human Resources must also approve the request for leave. See section **3420.5** for more information about how pay and benefits are administered during an approved personal leave of absence.

3420.3.7 VOLUNTEER FIREFIGHTER LEAVE:

3420.3.7.1 An employee who is a volunteer firefighter (also includes reserve peace officer or emergency rescue personnel) will be allowed time off for emergency firefighter, reserve peace officer or emergency rescue personnel duty.

3420.3.7.2 An employee who is a volunteer firefighter (also includes reserve peace officer or emergency rescue personnel) will be allowed time off, not to exceed an aggregate of 14 days per calendar year, for the purpose of engaging in fire, emergency rescue, or law enforcement training.

3420.3.7.3 Employees should notify the District of their status as a volunteer firefighter, reserve peace officer or emergency rescue personnel. Additionally, employees should provide as much advanced notice as practicable of the need for leave under this policy when they are called to emergency service or training.

3420.3.7.4 When returning from leave under this policy, the employee should provide his or her supervisor and Human Resources with appropriate written documentation confirming that during the leave the employee was actively engaged in responding to an emergency or training for an emergency.

3420.3.8 WITNESS AND CRIME VICTIM LEAVE:

3420.3.8.1 An employee who is a victim or witness, or an immediate family member of a victim, a spouse, a registered domestic partner of a victim, or the child of a spouse or registered domestic partner of a victim, will be granted time off in order to attend judicial proceedings related to that crime, which includes but is not limited to the requirements of a subpoena or other order to appear in court.

3420.3.8.2 Before the employee may be absent from work, the employee shall give the District a copy of the notice of each scheduled proceeding that is provided to the victim by the agency responsible for providing notice, unless advance notice is not feasible, in which case, the employee will provide the District with documentation evidencing the judicial proceeding within a reasonable time upon return to work.

3420.4 PAID LEAVES OF ABSENCE:

The following leaves of absences applies to District employees who are designated to work 30 or more hours per week and includes full-time and eligible part-time employees unless otherwise required by law.

3420.4.1 BEREAVEMENT LEAVE:

An employee may request up to five (5) days of leave with pay in the event of the death of an immediate family member. Immediate family is spouse, registered domestic partner pursuant to California law, child, stepchild, parent, stepparent, sibling, step-sibling, spouse's parent, spouse's sibling, grandparents, grandchildren and household pets. Special consideration will be given to any other person whose association with the employee was similar to the above-stated relationships.

3420.4.2 JURY DUTY LEAVE:

3420.4.2.1 An employee subpoenaed to appear in court as a witness (other than an expert witness or litigant) or called to jury duty will be granted paid leave up to a limit of ten (10) days, pro-rated according to assigned work schedule.

3420.4.2.2 If court or jury duty leave exceeds (10) days, then the employee may use accrued Vacation leave or will be entitled to an unpaid leave of absence.

3420.4.2.3 The employee is required to submit attendance verification from the court. The employee is required to give reasonable notice to the District that he/she is required to serve on jury duty.

3420.4.3 VOTING LEAVE:

An employee that does not have sufficient time outside of working hours to vote at a statewide election may take no more than two hours at either the beginning or end of the regular working shift to vote without a loss in pay. The employee shall provide at least two working days' notice of the need to take time to vote.

3420.5 ADMINISTRATION OF PAY AND BENEFITS DURING AN APPROVED PERSONAL LEAVE OF ABSENCE:

3420.5.1 Employees will be expected to exhaust their Vacation or Sick leave (if applicable) prior to going into an unpaid status. This requirement will be applied consistent with State and Federal law.

3420.5.2 Employees who are covered under the District's Cafeteria Plan for group health benefits and who are approved for a non-medical leave of absence will be eligible to continue to receive café dollars toward the purchase of their benefit elections for the first 30-days of leave. If additional time off is requested and approved the employee will be eligible to continue their benefit coverage via direct pay and will be responsible for paying the full premium directly to the health plan carrier. If the employee is separated from employment he/she will be eligible to continue benefit coverage via the Consolidated Omnibus Budget Reconciliation Act (COBRA) in accordance with applicable State and Federal law. Employees will be responsible for continuing to pay their share of the premium during the leave period.

3420.5.3 Vacation, Sick, and Holiday benefits will continue through the leave period for the first 30-days. If additional time off is requested and approved, the employee's Vacation, Sick, and Holiday benefits will stop accruing for the duration of the leave.

3420.5.4 Exceptions to this policy will be made only if applicable Federal and/or State mandates require a longer or different period of benefit continuation – at the same level of employer contribution.

EXCEPTIONS:

3420.6 The Chief Executive Officer is the only person authorized to make exceptions to this policy.