

# **AGREEMENT**

**BETWEEN**



**SANTA MONICA  
COMMUNITY COLLEGE  
DISTRICT**

**&**



**CALIFORNIA  
SCHOOL EMPLOYEES  
ASSOCIATION -  
CHAPTER 36**

**July 1, 2021 — June 30, 2024**

7.1.8 When the District has reason to believe that there has been an abuse of leave privileges, the District's Office of Human Resources may require the employee to verify an absence by requesting that the employee provide reasonable proof that the absence was for the type of leave claimed by the employee.

7.1.9 Employees shall notify their immediate supervisor or designee in advance of all absences in accord with the following requirements:

- a. For day shift employees, notification shall be provided at least 30 minutes prior to the commencement of the shift.
- b. For employees on the swing or graveyard shift, notification shall be provided two (2) hours prior to the commencement of the shift, unless the immediate supervisor notifies the employee that a later time for such notification is authorized.

Employees shall indicate the reasons for their absences and the intended day of their return to work.

7.1.10 If an employee has been notified that a substitute has been hired, the employee must notify his/her immediate supervisor or designee at least twenty-four (24) hours prior to his/her intended return to work in order for the District to make adequate preparation for release of an employee's substitute. An employee who fails to provide such notice of intention to return to duty before the specified time limits above may, at the District's discretion, not be permitted to return to duty that work day and may be charged with an additional day of absence.

## **7.2. Sick Leave**

**7.2.1** Sick leave shall be for illness and injury absences or for a legally established quarantine.

**7.2.2** Employees who are employed for 40 hours per week for a complete fiscal year shall be entitled to 96 hours of leave of absence annually for illness or injury. Employees shall receive full pay for sick days thus allowed in any fiscal year, and the number of days not used shall accumulate from year to year. Every employee who works less than 40 hours per week and/or less than a complete fiscal year shall be entitled to sick leave in the same ratio that his/her employment bears to full time annual employment (40 hours per week for 12 full months). Credit for personal illness or injury leave, as provided for in this section, need not be accrued prior to taking such leave by the employee and such leave of absence may be taken at any time during the year. However, a new employee of the District shall not be eligible to take more than six (6) days, or the proportionate amount to

which he/she may be entitled to under this section, until the first day of the calendar month after completion of the employee's probationary period.

**7.2.3** Illness leave may be utilized for pregnancy, miscarriage, childbirth, or recovery therefrom as set forth 7.13.3. The date of commencement of absence from and return to duties because of pregnancy, miscarriage, childbirth, or recovery there from shall be determined by the employee and the employee's physician. The physician's verification for the commencement of absence from duties and resumption of duties shall be based on the employee's medically determined ability to perform assigned duties.

**7.2.4** An employee who terminates employment prior to earning sick leave taken in advance of accrual shall have the appropriate amount deducted from his/her final warrant.

**7.2.5** Sick leave shall not be transferable from one employee's accumulated balance to that of another employee's except as provided for under Section 7.14.

**7.2.6** Any unused sick leave credit may be used by the employee for sick leave purposes, as defined, without loss of compensation. An employee may be eligible to receive State Disability Insurance benefits after five consecutive days of illness. It is the responsibility of the employee to apply to the appropriate state agency in order to receive such benefits. In the event that an employee has exhausted all accumulated sick leave credit, the District will apply accrued and unused vacation days to supplement the exhausted sick leave unless the employee provides written notice to the District not to do so. Because the District coordinates District leave benefits and State Disability Insurance benefits, an employee who receives State Disability Insurance benefit monies must remit all such monies to the District's Payroll Department as soon as possible after receipt from the State.

In addition to full-pay sick leave, employees who have completed their initial probationary period shall be entitled to a maximum of one hundred (100) days of sick leave per fiscal year at fifty percent (50%) of their salary. These days of additional sick leave are not carried into the next fiscal year and do not accumulate.

In order to qualify for 50% pay, an employee shall utilize available leaves in the following sequence:

7.2.6.1 all Industrial Accident or Illness Leave days, when applicable;

7.2.6.2 all remaining current year days credited for sick leave;

7.2.6.3 all accumulated sick leave.

7.2.7 In no event shall the use of 50% pay, when coordinated with Industrial Accident or Illness Leave days, and/or remaining sick leave days, exceed 112 days in any fiscal year. There is no limitation on the use of full pay sick leave that an employee has accumulated.

7.2.8 In the case of sick leave absence, the District reserves the right to require any reasonable proof verifying that the employee was entitled to sick leave for the days claimed. In the event that an employee will be absent for more than five (5) consecutive days, the employee must notify the District by no later than the fifth consecutive day of absence, of the expected duration of the absence, and verifying that such leave is for sick leave. In the event that an employee fails to so notify the District, the employee's absence shall be deemed to be an unauthorized leave pursuant to Article 7.1.6 of this agreement, until such time as the employee properly verifies her/his illness.

7.2.8.1 If requested to do so by the District, an employee who is returning to work and who has been absent five consecutive days or more, shall provide, at his/her expense, a statement from a medical doctor or licensed practitioner stating the reason for the absence and indicating an ability to return to his/her position classification without restrictions or detriment to the employee's physical and emotional well-being. In addition, the District may require the above statement for a period of absence of less than five days but in such case the District, rather than the employee, shall bear the cost of such examination. In the latter case, the employee shall have the option to choose either his/her own or the District's physician and the District shall provide release time for such purpose.

### 7.3 Bereavement Leave

7.3.1 Employees shall be allowed necessary leave of absence not to exceed three days, or five days if out-of-state travel is required, or more than 300 miles, because of the death of any member of the immediate family. No deduction shall be made from the salary of such employee, nor shall such leave be deducted from leave granted by other sections of the Education Code or provided by the District.

### 7.4 Industrial Accident and Illness Leave

7.4.1 Industrial accident and illness leave shall be granted to employees in accordance with provisions of California Education Code Section 88192,