

OTHER LEAVE

ARTICLE NUMBER: 313

LAST APPROVED: June 2, 2008, June 2, 2014, May 2, 2016, February 5, 2018

REFERENCE: 312.1, 312.3, 312.4, Appendix B1, ORS 408.290, Oregon Parental Leave Law (HB 2321)

SPECIAL PAID LEAVE: 313.1

Eligible employees, as defined in College policy and Summary of Benefits Chart, Appendix B-1, shall be entitled to special paid leave as follows:

A. Personal Leave

An employee may elect to use accrued sick leave as personal days off at the following rate:

- a. Full-time, 12 month employee: 3 days per fiscal year
- b. Part-time: Pro-rated on full-time rate based on position FTE assignment. Scheduling of personal days will be in accordance with regular leave scheduling, Article 312.1, Paragraph B.

No carry-over of personal days from one fiscal year to another will occur. Sick leave accruals are not compensable.

B. TBCC Bereavement Leave

An employee may be absent with pay for up to five working days following the death of a member of his/her immediate family. For the purposes of this policy statement, "immediate family" shall include spouse, domestic partner, parent, child, sibling, or other person who is or has resided in the employee's household and for whom the employee is or was legally responsible.

C. Court and Jury Duty

An employee should notify his/her management supervisor as soon as possible after receiving notification or summons so that coverage may be arranged.

College employees will be allowed time off with no loss of income for the following:

- a. To serve when summoned for jury duty.
- b. To appear in court when subpoenaed as a witness in a matter involving other than the personal business of the employee. Generally, this will be defined as a legal matter in which the employee is not one of the principal parties.

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The amount of remuneration received by the employee from the College and/or for jury duty and/or court appearance, other than per diem and travel, shall not exceed the employee's regular salary.

Any monetary remuneration received by the employee for jury duty and/or court appearance, other than per diem and travel, shall be reported to the College within five days after the employee's receipt of such funds. The salary or wages of the employee shall be reduced by an equal amount. In the event the employee receives remuneration for jury duty/or court appearance and the employee has received compensation from the College, for those hours, the remuneration shall be signed over to the College.

If a required court appearance or jury duty is for eight (8) hours or less, the employee's supervisor may elect to have the employee make up lost time; in which case no fees received for the court appearance or jury duty need be reported to the College by the employee.

A. Military Leave

- a. An employee who is a member of one of the reserve components of the armed forces of the United State or the Oregon National Guard shall be entitled to leave without loss of pay for Military duty for a period or periods not to exceed a total of fifteen days each calendar year, as provided in ORS 408.290.
- b. Requests for military leave shall be submitted through regular channels as provided in Article 312.3, Paragraph B and shall be accompanied by official orders specifying the dates and location of such military duty.

PROFESSIONAL IMPROVEMENT LEAVE: 313.2

It shall be the policy of Tillamook Bay Community College to grant a professional improvement leave to eligible administrators upon formal application only when such leave contributes to the goals of the College and enhances the professional competence of the individual. A Professional Improvement Leave is considered to be a privilege granted to an eligible administrator rather than a right which automatically accrues because of prior service. In unique situations, leave may be granted for a staff employee.

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Professional Improvement Leave may be authorized by the President, in consultation with the Board. Such leaves may be granted for one or two terms.

A. Eligibility

Administrators must meet the following requirements to be eligible for professional leave:

- a. Must have completed five or more consecutive years of full-time employment with the College as an administrator on regular employee status.
- b. Must complete one year of college employment upon return from professional leave before terminating employment or repay the compensation received while on leave.

B. Compensation

Professional Improvement Leaves may be granted for one or two terms, with compensation at 70% of scheduled annual salary.

Exceptions to this compensation schedule must be recommended by the College President in consultation with the Board of Education.

C. Application Procedures

Proposals for Professional Improvement Leave will be submitted to the President by December 31. The applicant will be notified in writing regarding College President and Board of Education action by the following March 31. If an administrator needs to cancel a previously granted leave, presidential approval is required.

D. Report and/or Documentation Required

Upon return from his/her leave, the administrator or staff employee shall, within three months of the completion of the professional leave, submit to his/her immediate supervisor a written report or other documentation as agreed upon. Copies of the report will be forwarded to the College President. A presentation will be made to the Board of Education Within three months of completion of the professional leave.

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E. Benefits

- a. Health, dental, life and long term disability insurance, tuition waivers, and PERS benefits, as applicable will continue during the period of the Professional Improvement Leave.
- b. Sick leave and vacation leave will not accrue during Professional Improvement Leave.

The Leave Agreement and Approved Professional Improvement Leave application will be placed in the employee's personnel file with copies to the President and the applicant.

UNPAID LEAVE: 313.3

A. Short-Term Leave of Absence

An unpaid leave of absence of thirty days or less for regular and limited duration employees will be considered on an individual basis and approved by the employee's supervisor. Requests should be made on a Leave Request Form.

B. Extended Leave of Absence

Employees may require absence from work for a period in excess of accumulated authorized leave time. It should be understood that the best interest of the College will be considered in the granting of such leave. The following guidelines shall be used for granting of unpaid leave:

- a. Only regular employees, as defined in College policy, are eligible for extended leave of absence.
- b. Requests for unpaid leave must be made in writing by the employee. Requests should include reason for leave and beginning and ending dates.
- c. All unpaid leave must be recommended by the employee's supervisor and approved by the College President.
- d. Unpaid leave shall not exceed one year.
- e. The employee is not entitled to any benefits, including leave accrual, tuition waivers, or College paid insurance while on unpaid leave of

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absence over 30 days. Employees may use COBRA provisions to continue their medical and dental coverage at their own expense during the unpaid leave of absence.

- f. Employee must submit an "intent to return" no later than 30 days prior to leave ending date. Failure to submit letter of intent will be considered automatic termination of employment.
- g. Unpaid leave for pursuit of other permanent employment will not be considered.

C. Parental Leave

In accordance with Article 312.4, absence due to pregnancy shall be treated no differently from any other illness or condition that would be covered by unused paid sick leave.

Unpaid leave beyond the employee's accumulated leave for the birth of an employee's infant or adoption of a child will be treated in accordance with State of Oregon Parental Leave Law (HB2321) and will be considered unpaid leave.

Absence beyond the twelve (12) week period provided in Oregon Law will be treated as Extended Leave of Absence.

CURTAILED OPERATIONSZ: 313.4

- A. In the event of hazardous conditions beyond Management control, it may become necessary to delay opening and/or close some or all College operations at one or more facilities. Only the College President or his/her designee may make the decision to curtail operations. For delays or closures prior to regular hours of operation, notice will be made via multimedia notification system. General notice of curtailed operations will be made via the TBCC website, local and Portland media and/or by recorded message on the TBCC telephone system. Should a closure be imposed after the College has opened, initial notice will be via staff e-mail and/or verbal notification.
- B. In the event of potentially hazardous conditions, all employees are urged to make wise choices regarding their personal safety. If an employee determines it would be unwise to report to work, or remain at work, such absences will be handled in one of the following ways:
 - a. Chargeable to accrued vacation leave.

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- b. Chargeable to compensatory time, with the approval of the supervisor.
 - c. Chargeable to personal leave, if vacation leave and compensatory leave are exhausted.
 - d. Chargeable to leave without pay.
- C. Should an employee choose to absent themselves from work and the College close, or that portion of the College which is the normal duty station of the employee close, only the time absent due to the decision of the employee will be charged as leave as detailed in Article 313.4 Paragraph B, Items 1, 2, 3 and 4.
- D. In the event of a decision, by the College President or his/her designee, to curtail operations, employees who are 0.5 FTE or more will receive regular pay for hours they would have worked during the regular College operations schedule.
- E. Employees shall be responsible for monitoring the closure schedule and return to work when normal operations resume.