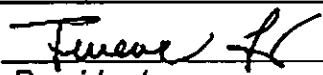


BBCC ADMINISTRATIVE PROCESS

Title: Classified Leaves	AP 4150	Implementing Board Policy: 3000
Originating Department: Human Resources	Originated:	Effective Date: 9/1/14
Previous Revisions: 4/91, 7/02, 9/13	Approved:  President	

1.0 PURPOSE

The purpose of this document is to provide guidance to staff and supervisors in addressing employees' time away from work.

This administrative process applies to all Big Bend Community College employees working in classified positions.

2.0 APPROVAL OR DENIAL OF LEAVE

For all instances of absence from work, including but not limited to those described in this procedure, an employee shall submit the leave request using the standard BBCC leave request form. The form shall be submitted to the employee's immediate supervisor in advance of the requested leave date.

Upon the employee's request for leave, the supervisor shall approve or deny the request for absence per this administrative process. Failure to receive prior approval of leave, as described in this document, may be cause for denial of the leave request or designation of the absence as unauthorized. Unauthorized absences may be treated as unauthorized leave without pay and may be grounds for discipline up to and including termination.

When it is not possible for the employee to provide advance notice of the need to be absent and obtain advance approval, the employee shall provide the supervisor a leave request immediately upon their return to work.

Employees shall call their immediate supervisor or designee at least one (1) hour prior to the start of their shift if unable to work their assigned shift and daily thereafter unless pre-arranged to do otherwise.

Conflicting requests for vacation, personal holiday, compensatory time off, and holiday equivalent time off shall be handled in a fair and equitable manner in accordance with the provisions of this document.

3.0 TYPES OF LEAVE

3.1 BEREAVEMENT LEAVE (WAC 357-31-250)

Bereavement leave is paid time off granted to an employee due to the death of a family member or household member. Employees are entitled to three (3) days of paid bereavement leave. Full-time employees receive eight (8) hours of regular pay for each day of bereavement leave. Any differences between the scheduled shift for the day and eight (8) hours may be adjusted by use of compensatory time, vacation leave or leave without pay. Part-time employees are entitled to the number of paid hours for bereavement leave that their monthly schedule bears to a full-time schedule.

Individuals considered to be members of the family are parent, step-parent, sister, brother, parent-in-law, spouse, registered domestic partner, grandparent, grandchild, minor/dependent child, and child.

Household members are persons who reside in the same home, who have reciprocal duties to, and do provide financial support for one another. The term does not include persons sharing the same house when the living style is primarily that of a dormitory or commune.

An employee may request less than three days of paid bereavement leave. In addition to paid bereavement leave, supervisors may approve an employee's request to use paid leave (accrued compensatory time, sick leave, vacation leave, or a personal holiday) or to take leave without pay for purposes of bereavement.

BBCC may require verification of the family member's or household member's death.

3.2 CIVIL LEAVE (WAC 357-31-310, 315, 320)

The College will grant a leave of absence with pay for the following circumstances:

- When an employee is required to report for jury duty service,
- When the employee has been subpoenaed on the employer's behalf, or
- The employee has been subpoenaed for a legal proceeding which is unrelated to the personal or financial matters of the employee.

An employee may keep any compensation received for serving as a jury member or as a trial witness.

Employees will inform their immediate supervisor when notified of a jury summons or subpoenaed civil duties and will cooperate in requesting a postponement of jury duty service if warranted by business demands.

An employee whose work shift is other than day shift will be considered to have worked a full work shift for each workday during the period of jury duty or subpoenaed civil duties. If a day shift employee is released from jury duty or subpoenaed civil duties and there are more than two (2) hours remaining on his or her work shift, the employee will notify their supervisor and may be required to return to work to complete the remainder of their shift.

Employees must submit a leave request form to their supervisor for absence due to civil duty leave as soon as possible. The college may require communication and/or verification of civil duty.

3.3 COMPENSATORY TIME (WAC 357-31-230)

Pursuant to WAC 357-28-275, if the employee and the college agree, employees may receive compensatory time in lieu of pay.

Employees may not accumulate more than two hundred and forty (240) hours of compensatory time.

Each employee is responsible to monitor their balance of compensatory time and use compensatory time prior to using vacation leave, unless this would result in the loss of his or her vacation leave or the employee is using vacation leave for domestic violence leave. If vacation leave is submitted and compensatory time is available, then compensatory time will be used first, with the exceptions as noted above.

Compensatory time must be used and scheduled in the same manner as vacation leave. Employees may use compensatory time for leave as required by the Domestic Violence Leave Act (RCW 49.76). The college may schedule an employee to use his or her compensatory time with seven (7) calendar days' notice in the final 60 days of the biennium.

All compensatory time must be used by June 30th of each year. If compensatory time balances are not scheduled to be used by the employee by April of each year, the supervisor may contact the employee to review his or her schedule. The employee's compensatory time balance will be cashed out every June 30th or when the employee:

1. Leaves state service for any reason;
2. Transfers to a position in the college with different funding sources; or
3. Transfers to another state agency.

3.4 DOMESTIC VIOLENCE LEAVE (WAC 357-31-100(2))

See BBCC Administrative Process 3004, Domestic Violence Leave.

3.5 FAMILY CARE EMERGENCY (WAC 357-31-285, 290, 295)

A family care emergency is an unforeseen event that may result in an employee's inability to report for work or continue scheduled work. Such emergencies include:

1. The care of a minor or dependent child due to an unexpected absence of a regular care provider, unexpected closure of a child's school, or an unexpected need to pick up a child at school earlier than normal.
2. Elder care emergencies such as the unexpected absence of a regular care provider or unexpected closure of an assisted living facility.

For the purpose of family care emergency leave, "family member" includes: spouse, registered domestic partner, household member, the minor/dependent child of the employee or the employee's spouse/registered domestic partner, parent, or grandparent as stated in WAC 357-31-285.

Employees must first use accrued compensatory time for a family care emergency. If no compensatory time is accrued or if the absence extends beyond the compensatory accrued time, the employee may use accrued vacation leave, leave without pay, personal holiday, or sick leave. An employee is allowed to use up to three (3) work days each of vacation, sick leave, and/or leave without pay each calendar year. Supervisors, at their discretion, may approve more than the three (3) days each year per WAC 357-31-300.

Employees may be required to provide verification of the need to take family care emergency leave and that the situation was such that advance notice was not possible.

3.6 FAMILY MEDICAL LEAVE

Please refer to BBCC Administrative Process 3005, Family & Medical Leave.

3.7 INCLEMENT WEATHER AND SUSPENDED OPERATIONS

Please refer to BBCC Board Policy 4130, Suspended Operation Policy and BBCC Administrative Process 4130, Suspended Operation Policy.

3.8 LEAVE WITHOUT PAY (WAC 357-31-327, 330, 335, 340)

A request for leave without pay is submitted according to the procedure used for the corresponding paid leave type for which it is being substituted (e.g., vacation leave, sick leave, bereavement leave, etc.). Leave without pay for which the supervisor has specifically granted approval is considered "approved leave without pay." Leave without pay may be considered unapproved when an employee is placed on leave without pay for reasons such as, but not limited to, unauthorized absence from work, tardiness, or failure to provide required verification for the need for an absence.

Leave without pay requests will be approved or denied within fourteen (14) calendar days of the request, when practicable. If the leave request is denied, a reason will be provided in writing.

Eligible paid leave should be used before a supervisor approves leave without pay.

Leave without pay must be approved for those conditions under WAC 357-31-327, including:

1. When an employee who is a volunteer firefighter is called to duty to respond to a fire, natural disaster, or medical emergency.
2. Domestic violence leave. Refer to BBCC Administrative Process 3004, Domestic Violence Leave.
3. In accordance with WAC 357-31-373, for an employee to be with a spouse or registered domestic partner who is a member of the armed forces of the United States, National Guard, or reserves after the military spouse or registered domestic partner has been notified of an impending call or order to active duty, before deployment, or when the military spouse or registered domestic partner is on leave from deployment.

Leave without pay may be approved for any of the reasons for which leave with pay is approved as long as the conditions for leave with pay are met. Leave without pay may also be approved for those conditions under WAC 357-31-330, including the following reasons:

1. Educational Leave
2. Leave for government service in the public interest
3. Military Leave
4. Military Family Leave
5. Parental Leave
6. Family Care Emergencies
7. Bereavement Leave
8. Absence due to suspended operations or inclement weather.
9. To accommodate annual work schedules of employees occupying cyclic year positions as specified in WAC 357-31-525.
10. Serious health condition of an eligible employee's child, spouse, registered domestic partner, or parent as required by WAC 357-31-525 and BBCC

Administrative Process 3005, Family & Medical Leave.

11. Leave taken voluntarily to reduce the effect of an employer's layoff.
12. Leave that is authorized in advance by the appointing authority as part of a plan to reasonably accommodate a disability.
13. Employees receiving time loss compensation.

With the exception of 1 through 3 and 9 through 13, leave without pay will be limited to no more than twelve (12) months in any consecutive five-year period. Leave without pay may be extended for an additional twelve (12) months upon signed request of the employee and signed approval of the president as stated in WAC 357-31-335.

Employees returning from authorized leave without pay must be employed in the same position or a similar position in the same class and in the same geographical area, provided that such return to employment is not in conflict with rules relating to layoff as provided in WAC 357-31-340.

3.9 MILITARY LEAVE (WAC 357-31-360, 370)

Employees will be entitled to military leave with pay not to exceed twenty-one (21) working days during each year, beginning October 1 and ending the following September 30, in order to report for required military duty, when called, or to take part in training or drills including those in the National Guard or state active status.

Such leave will be in addition to any vacation and sick leave to which an employee is entitled and will not result in any reduction of benefits, performance ratings, privileges or pay.

During military leave, the employee will receive the normal base pay. Employees required to report during working hours for a physical examination to determine physical fitness for military service will receive full pay for the time required to complete the examination.

In addition to twenty-one (21) working days of paid leave granted to employees for active duty or active training, employees must be granted a military leave of absence without pay for service in the uniformed services of the United States or the state, and to reinstatement as provided in RCW 73.16 and WAC 357-31-370.

3.10 MILITARY FAMILY LEAVE (WAC 357-31-373)

In accordance with WAC 357-31-373 and the Military Family Leave Act, RCW 49.77, unpaid leave up to fifteen (15) calendar days per deployment will be granted to an employee whose spouse or state-registered domestic partner as defined by RCWs 26.60.020 and 26.20.030, is on leave from deployment or before and up to deployment, during a period of military conflict. Employees may choose to substitute accrued paid leave for the unpaid leave.

Employees must provide the college with five (5) business days' notice after receipt of official notice that the employee's spouse or state-registered domestic partner will be on leave or of an impending call to active duty.

3.11 MISCELLANEOUS PAID LEAVE (WAC 357-31-325)

Leave with pay will be granted for the following reasons:

1. To allow an employee to receive an assessment by the employee assistance program (if the college subscribes to the program).
2. To take an examination or participate in an interview for a position with the college or other Washington state agency or institution during scheduled work hours.
3. When an employee is required to appear during working hours for a physical examination to determine physical fitness for military service.

The employee may be required to provide verification of the appointment, examination, or interview. No more than four (4) hours of leave of absence with pay per fiscal year for travel and interviews will be approved.

In accordance with WAC 357-31-326, leave with pay may be granted for the following reasons:

1. To perform unpaid civil duties as a volunteer including but not limited to fire fighting and search and rescue efforts. "Civil duty" is defined as unpaid service provided as a moral obligation of an ordinary citizen to aid with the protection of life or property by performing functions for which the employee has received training.
2. To donate blood.

In compliance with Executive Order No. 02-01, employees will receive leave of absence with pay, not to exceed five (5) working days in a two (2) year period for participating in life-giving procedures. "Life-giving procedure" is defined as a medically-supervised procedure involving the testing, sampling, or donation of blood, platelets, organs, fluids, tissues, and other human body components for the purposes of donation, without compensation, to a person or organization for medically necessary treatments.

Employees will provide reasonable advance notice and written proof from an accredited medical institution, physician or other medical professional that the employee participated in a life-giving procedure.

3.12 PARENTAL LEAVE (WAC 351-31-460 through 495)

Parental leave will be granted to a permanent employee because of the birth of a child of the employee and in order to provide care, or because of the placement of a child with the employee for adoption or foster care.

Parental leave will not total more than six months, and will run concurrently with the leave granted under the federal Family and Medical Leave Act (FMLA) or the Washington Family Leave Act (WFLA), and any pregnancy disability leave following the birth or placement of a child.

Requests for parental leave that exceed the provisions of the FMLA may be denied on the basis of operational necessity.

Parental leave must be taken during the first year following the child's birth or placement of the child with the employee for adoption or foster care.

Only permanent employees or employees who have worked for the state for at least 12 months and for at least 1250 hours during the previous 12-month period qualify for parental leave.

The employee will submit a written request for parental leave to their supervisor and must receive the approval prior to taking parental leave. The employee will provide not less than thirty (30) days' notice, except that if the child's birth or placement requires leave to begin in less than thirty (30) days, the employee will provide notice as is practicable.

Parental leave may be a combination of the employee's accrued vacation leave, sick leave for pregnancy disability or other qualifying events, personal holiday, compensatory time, or leave without pay.

3.13 PERSONAL HOLIDAY LEAVE (WAC 357-31-055)

Employees who are scheduled to be, or have been, continuously employed by the state of Washington for at least four (4) months are entitled to one (1) personal holiday per calendar year. Full-time employees receive eight (8) hours of regular pay on a personal holiday. Any differences between the scheduled shift for the day and eight (8) hours may be adjusted by use of compensatory time, vacation leave or leave without pay. Part-time employees are entitled to the number of paid hours on a personal holiday that their monthly schedule bears to a full-time schedule.

Per WAC 357-31-070, an employee's request to use their personal holiday must be approved as long as:

1. The employee has requested the personal holiday in accordance with leave procedures.
2. The employee has provided at least fourteen (14) calendar days' written notice to the supervisor. The supervisor, at his or her discretion, may allow a shorter notice period.

3. The number of employees choosing a specific day off allows the college to continue its work efficiently and not incur overtime.

Personal holidays may not be carried over to the next calendar year except when an eligible employee's request to take his or her personal holiday has been denied or cancelled. The employee will attempt to reschedule his or her personal holiday during the balance of the calendar year. If he or she is unable to reschedule the day, it will be carried over to the next calendar year. The employee or supervisor must notify the Human Resources Office, in writing, to facilitate the carryover of the personal holiday as provided in WAC 357-31-080.

Part or all of a personal holiday may be donated to another employee for shared leave as provided in WAC 357-31-425 (3) and BBCC Board Policy 3001, Leave Sharing Rules and BBCC Administrative Process 3001, Leave Sharing Rules. Any remaining portions of a personal holiday must be taken as one absence, not to exceed the work shift on the day of absence as provided in WAC 357-31-090.

At any time, an employee's request to use part or all of their personal holiday must be approved for the following reasons:

1. To care for a minor/dependent child with a health condition that requires treatment or supervision.
2. To care for a spouse/registered domestic partner as defined by RCWs 26.60.020 and 26.20.030, parent, parent-in-law, or grandparent of the employee, who has a serious health condition or an emergent health condition.
3. For domestic violence leave.
4. For military family leave.

Any remaining portions of a personal holiday must be taken as one absence, not to exceed the work shift on the day of the absence as provided in WAC-357-090.

3.14 SHARED LEAVE (WAC 357-31-380-455)

Refer to BBCC Board Policy 3001, Leave Sharing Rules and BBCC Administrative Process 3001, Leave Sharing Rules.

3.15 SICK LEAVE (WAC 357-31-130 through 160)

In accordance with WAC 357-31-115, full-time employees will earn eight (8) hours of sick leave per month and part-time employees earn sick leave on the same pro rata basis that their appointment bears to a full-time appointment. Per WAC 357-31-140, an employee is not entitled to use sick leave in advance of its accrual.

Per WAC 357-31-120, full-time and part-time employees with more than ten (10) working days of leave without pay in a month do not earn a monthly accrual of sick

leave. For purposes of this procedure, a "working day" is defined as eight (8) hours (pro-rated for part-time employees).

Use of sick leave is subject to the supervisor's approval. Sick leave may be used for the following:

1. A personal illness, injury or medical disability that prevents the employee from performing his or her job; or for the purpose of attending personal medical/dental appointments.
2. By reason of attendance on duty would jeopardize the health of fellow employees or the public.
3. To care for a minor/dependent child with a health condition requiring treatment or supervision.
4. To care for a spouse/registered domestic partner as defined by RCWs 26.60.020 and 26.20.030, parent, parent-in-law, or grandparent of the employee who has a serious health condition or emergent health condition.
5. For family care emergencies.
6. For family members' health care appointments when the presence of the employee is required, provided the absence is arranged in advance with the supervisor or designee.
7. To care for relatives of an employee's household members, which is limited to a spouse's or registered domestic partner's child, grandchild, grandparent or parent.
8. For domestic violence leave
9. For military family leave.
10. For condolence or bereavement.
11. When an employee is unable to report to work due to inclement weather in accordance with WAC 357-31-255 and BBCC Board Policy 4130, Suspended Operation Policy and BBCC Administrative Process 4130, Suspended Operation Policy.
12. To donate as shared leave in accordance with WAC 357-31 and BBCC Board Policy 3001, Leave Sharing Rules and BBCC Administrative Process 3001, Leave Sharing Rules.

As described in WAC 357-31-130, the college may require a written medical certificate for any sick leave absence. The medical certificate should indicate the employee was seen by a health care provider, the corresponding date of that appointment, explain the nature of the illness, duration of the illness, and the treatment.

An employee returning to work after any sick leave absence may be required to provide written certification from his or her health care provider that the employee is able to return to work and perform the essential functions of the job with or without reasonable accommodations.

Employees needing to use sick leave, should notify their immediate supervisor, at least one hour prior to the start of their scheduled shift of work, that they will be absent from work. In the event of an emergency, the employee must notify their immediate supervisor or the Human Resources Office within 24 hours of the start of their shift.

Leave forms must be completed and approved in advance when an employee wishes to take time off for pre-arranged absences such as medical or dental appointments.

Employees must report illness or injury to their immediate supervisor at the beginning of any period of sick leave and daily thereafter unless prearranged. If the employee cannot contact their supervisor, they should call the Human Resources Office to report the absence. Upon returning to work, the employee must complete a leave form and submit to his/her supervisor for signature. The form must be submitted to the Human Resources Office within two (2) days of the return to work. The employee may be required to submit a physician's statement or medical certification explaining the nature of the absence.

In the event an employee is injured or becomes ill while on vacation leave, the employee may submit a written request to the Human Resources Office to use sick leave and have the equivalent amount of vacation leave restored. Written verification of the illness or injury may be required in order to determine the validity of the request, as provided in WAC 357-31-145.

An employee may receive compensation for unused sick leave in accordance with WAC 357-31-150, 155 and BBCC Board Policy 4602, Unused Sick Leave Compensation and BBCC Administrative Process 4602, Unused Sick Leave Compensation.

Per WAC 357-31-160, former state employees who are re-employed within five (5) years of leaving state service will be granted all unused sick leave credits they had at separation.

3.16 UNPAID HOLIDAYS FOR REASONS OF FAITH OR CONSCIENCE (WAC 82-56-010)

Classified employees are entitled to two (2) unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization.

The employee may select the days on which he or she desires to take the two (2) unpaid holidays after consultation with his or her supervisor. If an employee prefers to take the two (2) unpaid holidays on specific days, then the employee will be allowed to take the unpaid holidays on the days he or she has selected unless the absence would

unduly disrupt operations, impose an undue hardship, or the employee is necessary to maintain public safety.

A written request to take the unpaid holiday(s) should be submitted as outlined in this procedure. The request shall not be deemed approved unless it has been authorized in writing by the employee's supervisor.

The supervisor shall evaluate requests by considering the desires of the employee, scheduled work, anticipated peak workloads, response to unexpected emergencies, the availability, if any, of a qualified substitute, and consideration of the meaning of "undue hardship" as defined by the Office of Financial Management.

The two (2) unpaid holidays must be taken during a calendar year, if at all, and must be taken in full-day increments. The unpaid holidays do not carry over from one year to the next. The seniority of the employee shall not be impacted by the use of the two (2) unpaid holidays.

3.17 VACATION (WAC 357-31-165-225)

After six (6) months of continuous state employment, permanent full-time and part-time employees will be credited with vacation leave they accrued during the previous six (6) continuous months. Thereafter, full-time and part-time employees will be credited monthly with vacation leave accrued. Per WAC-357-31-190 & 195, an employee is not entitled to use vacation leave in advance of its accrual.

Employees will accrue vacation leave according to the rate schedule below and under the following conditions:

1. In accordance with WAC 357-31-165, full-time employees accrue vacation leave at various rates depending on the length of total and/or continuous state service. Part-time employees accrue on the same pro-rata basis that their appointment bears to a full-time appointment in accordance with WAC 357-31-170.
2. Full-time and part-time employees with more than ten (10) working days of leave without pay in a month do not earn a monthly accrual of vacation leave. For the purposes of this administrative process a day is defined as eight (8) hours (pro-rated for part-time employees) per WAC 351-31-175.

Years of Service	Monthly Accrual Rate (Hourly)
1 (continuous)	8.00
2 (continuous)	8.67
3 and 4 (continuous)	9.33
5, 6, and 7 (total)	10.00
8, 9, and 10 (total)	10.67
11 (total)	11.33
12 (total)	12.00
13 (total)	12.67
14 (total)	13.33
15 (total)	14.00

16 and the succeeding years (total)	14.67
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Requests for use of vacation must be approved by the supervisor in advance of the effective date. Leave forms should normally be submitted for approval no earlier than three months prior to the leave time requested. Employees shall not request or be authorized to take scheduled vacation leave if they do not have sufficient vacation leave to cover such absence at the time requested vacation is to be taken.

Each supervisor must weigh the department's operational needs when considering approval of an employee's request for vacation leave. Vacation leave shall be scheduled at a time most convenient to the work of the department, the determination of which shall rest with the supervisor. As far as possible, leave will be scheduled in accordance with the wishes of the employee in any amount up to the total of his/her earned leave credits.

Requests for vacation leave that coincide with the 4th of July, Thanksgiving, Christmas and New Year's Day holidays will not be approved on the basis of seniority, but will be rotated annually among all interested employees within the department so that equitable access exists in obtaining vacation time.

Requests for vacation leave outside of the time periods noted above shall be granted on a first-come, first-served basis, provided conflicting requests are not submitted by two or more employees. When a supervisor receives leave requests from different employees wanting the same days off and the workload cannot allow the absence of more than one employee and the employees are unable to compromise on their requested vacation leaves, the senior employee will be given priority.

An employee may use vacation leave without advance approval under the following conditions as specified in WAC 357-31-200:

1. As a result of the employee's serious health condition.
2. To care for a spouse/registered domestic partner, parent, parent-in-law, or grandparent of the employee who has a serious health condition or an emergent health condition.
3. To care for a minor/dependent child with a health condition that requires treatment or supervision.
4. For parental leave pursuant to 357-31-460.
5. For domestic violence leave.
6. For military family leave.
7. Employee may donate vacation leave as shared in leave in accordance with WAC 357-31-640 and BBCC Board Policy 3001, Leave Sharing Rules and BBCC

Administrative Process 3001, Leave Sharing Rules.

Approval for the reasons listed above may be subject to verification that the condition or circumstance exists.

Per WAC 351-31-210, 215, employees may accumulate a maximum vacation balance not to exceed 240 hours. However, there are two exceptions that allow vacation leave to accumulate above the maximum:

1. If an employee's request for vacation leave is denied by the supervisor and the employee is close to the vacation leave maximum, the college will grant an extension for each month that the supervisor must defer the employee's request for vacation leave. If leave is denied prompting deferral of leave, a statement from the supervisor that meets the minimum requirements of WAC 351-31-220 must be sent to the Human Resources Office.
2. An employee may also accumulate vacation leave days in excess of 240 hours as long as the employee uses the excess balance prior to his or her anniversary date. Any leave in excess of the maximum that is not deferred in advance of its accrual as described above will be lost on the employee's anniversary date.

Per WAC 351-31-225, an employee who has completed six continuous months of employment, who resigns, retires, is laid-off, or is terminated by the college, will be entitled to be paid for unused vacation leave. In addition, the estate of a deceased employee will be entitled to payment for unused vacation leave.