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2.13 Leaves

Saint Mary's College of California

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2.13 LEAVES

2.13.1 LEAVES WITH PAY

For detailed information regarding specific leaves of absence, contact the Human Resources office. For sabbatical leave, see section 2.10.1.

2.13.1.1 Sick Leave (Short-term Disability Income Benefits)

For faculty, accumulation of paid sick leave is at the rate of four (4) weeks for each year of full-time employment up to a maximum of twelve (12) weeks, at which time long-term disability income benefits commence, if applicable. Sick leave is normally coordinated with State Disability Insurance to assure that one remains at 100% of normal earnings as long as possible.

The Human Resources office must be notified as soon as possible of any sick leave, pregnancy disability, other disability, or of the need for Family and Medical Leave (in writing when possible) as soon as the faculty member is aware of the need for such leave. In non-emergency situations, the employee must provide no less than thirty (30) days written notice to the Human Resources Office. For details of the policy, contact the Human Resources office.

2.13.1.2 Jury Duty

The College recognizes jury duty as a civic obligation and will excuse all summoned employees from work for jury duty with pay for a period not exceeding four full work weeks in a calendar year. If the jury duty exceeds four full work weeks, the employee may take unpaid leave unless the employee has worked for any part of the work week, in which case the leave will be paid leave. The employee may retain any jury fees.

2.13.2 LEAVES WITHOUT PAY

There are three categories of leave without pay: leaves based on family and medical circumstances and governed by law, personal leaves that are not legally mandated, and scholarly leaves.

2.13.2.1 Family and Medical Leave Act of 1993/California Family Rights Act

The Family and Medical Leave Act of 1993 and the California Family Rights Act entitle a faculty member who has been employed at least one full calendar year and has worked 1,250 hours during the preceding 12 months to take up to 12 weeks unpaid leave with the right to return to the same or comparable position. Leaves will be granted to accommodate the needs of a faculty member due to the birth, adoption, or foster care placement of a child within 12 months of the child's birth or placement; to care for a spouse, dependent child or parent with a serious health condition; or because of a serious health condition of the faculty member. Serious health condition is defined as a condition requiring hospitalization, the ongoing care of a licensed treatment provider, or the absence of three days or more and the care of a licensed treatment provider. During this time, the faculty member can be required to use his/her unused sick leave and the College will continue its contribution to the faculty member's health insurance premium. Medical or pregnancy leaves generally include the right to return to the same or comparable position.

The above protected leaves may be accompanied by an interruption of the probationary tenure period for tenure-track faculty (see section 2.6.2.1.1 Interruption of the Probationary Tenure-Track Period).

Procedure for Granting Leave: Eligible faculty members must apply for leave by completing the “Request for Leave” form and, in the event of a serious illness of the faculty member or immediate family member, the “Certification of Health Care Provider” form at least thirty (30) days prior to the leave or as soon as foreseeable. Both forms are available in Human Resources.

Upon approval of a leave the College will confirm the date of the faculty member’s return. Any request for an extension of an approved leave must be submitted in writing to Human Resources at least one (1) week prior to the expiration of the current leave with a copy going to the Provost. Failure to return on the agreed date will be considered a voluntary resignation of the faculty member’s appointment and, where applicable, tenure.

A written verification of the faculty member’s ability to resume normal duties is required from the health care provider prior to the employee’s return. Any accommodations or restrictions upon return from leave must be detailed and in writing.

The above Protected Leaves may be accompanied by an interruption of the probationary tenure period for tenure track faculty (see section 2.6.2.1.1 Interruption of the Probationary Tenure-Track Period).

2.13.2.2 Personal Leave of Absence

For those leaves of absence that are not legally mandated, full-time faculty may obtain a personal leave of absence with the consent of the department chairperson, recommendation of the Dean of the School and approval of the Provost and the President. A personal leave of absence is granted, upon request, for an academic term or year and can be formally renewed up to a maximum of an additional academic year. Under extraordinary circumstances, the President may extend the leave of absence for an additional period of time. Benefits such as medical, dental, vision, life and long-term disability are not due during a personal leave of absence; however, the faculty member may continue any or all of these benefits during any such leave that is not covered by the Family and Medical Leave Act of 1993, on the condition that he/she pays the entire premium. A faculty member on a personal leave of absence must notify the Dean of the School and the Provost by April 1 or within 30 days of receipt of contract, whichever is later, of his/her intention to return or not to return at the beginning of the next academic year. However, faculty members are strongly urged to so notify by March 1.

2.13.2.3 Scholarly Leave of Absence

Tenure and tenure-track faculty shall be eligible to apply for a one-term Scholarly Leave of Absence, not to exceed one semester every four years, to pursue a scholarly or creative project, as recommended by the Dean and approved by the President. For the relation between Scholarly Leave of Absence and the probationary tenure-track period at the College, see Section 2.6.2.1.3 Tenure. In addition, tenured faculty while on a scholarly leave retain faculty status and privilege, including eligibility for sabbatical leave. Faculty on Scholarly Leave shall receive a pro-rata salary as well as pro-rata life and long-term disability benefits but shall retain full medical, dental, and vision benefits. Applications for Scholarly Leave must normally be made to the Chair of the faculty member’s department no later than the end of the first week of the academic term (i.e. long semester or quarter, as applicable) before that in which the leave is to be taken. Requests for Scholarly Leave may be granted by the President who shall consider the following factors: 1) the faculty member has presented a clear and substantive plan for the use of the leave which has been found meritorious by the Dean of the applicant’s school and by the Provost. 2) the faculty

member's absence will not unduly harm the ability of the home Department to offer its curriculum, the judgment to be made by the Dean of the applicant's school in consultation with the Chair of the faculty member's department. 3) without the prior written approval of the President, the faculty member will not accept new income, related or unrelated, to completion of the scholarly or creative project. 4) the faculty member must return to full time status (6/6) for at least one year after the expiration of the leave, or the faculty member must reimburse the College's cost of the medical, dental and vision benefits received during the leave.