

AR 7344 Other Leave

References:

AR 313

PAID VACATION LEAVE 313

Eligible employees, as described in the Summary of Employee Benefits Chart contained in Appendix B-1, shall earn paid vacation leave each month according to the following schedule:

NON-EXEMPT

First Year	10 Days (80 Hours) Per Year
Second Year	15 Days (120 Hours) Per Year
Third Year and After	20 Days (160 Hours) Max. Per Year

EXEMPT

First Year and After	20 Days (160 Hours) Max. Per Year
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A. Eligibility

- a. Eligible part-time employees shall earn prorated paid vacation leave based on FTE.
- b. Full-time employees who work less than a full-time schedule (unpaid leave or professional leave) for a temporary period will earn leave on the basis of FTE.
- c. Accrued vacation leave may be taken during the introductory period only with permission from the employee's supervisor.

B. Scheduling

- a. Vacation schedules shall be approved by the employee's supervisor in accordance with the needs of the College, and when feasible, shall be scheduled to prevent the loss of vacation time earned.
- b. In cases of conflict, the supervisor will determine which request will have precedence.

C. Unused Vacation Leave

- a. Employees will be compensated for accumulated unused vacation up to 160 hours (20 work days) at the employee's current rate of pay on their final paycheck.
- b. No more than two weeks of unused vacation leave can be taken immediately prior to the employee's termination date.

- c. Any requested exceptions to the notification period must be submitted to and approved by the President.
- d. Employees whose compensation is not fully funded by the College's General Fund will be paid all wages due and will be paid for all earned, unused vacation pay if funding for that purpose is provided by the funding entity providing their compensation.

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. Bereavement Leave

An employee may be absent with pay for up to five working days following the death of a family member. For the purposes of this policy statement, "family member" means a(n): spouse, child of the employee, custodial parent, noncustodial parent, biological parent, adoptive parent, step or foster parent, in loco parentis when the employee was a child, same-gender domestic partner, child of same-gender domestic partner, grandparent, grandchild, parent-in-law or parent of same-gender domestic partner. Siblings, Spouse or domestic partner of a sibling, and individual relate by blood or affinity whose close association with the covered individual is the equivalent of a family member.

C. Reproductive Loss Leave

An employee may be absent with pay for up to five working days following a reproductive loss event. A reproductive loss event is any of the following:

- Miscarriage
- Stillbirth
- Failed adoption
- Failed surrogacy
- Unsuccessful assisted reproduction

For the purposes of this policy statement, an employee may take leave following their own reproductive loss event or that of another person, such as a spouse or partner, if the employee would have been the parent of the child born or adopted.

D. 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.

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.

E. 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 21 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.

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 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.

CURTAILED OPERATIONS: 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.
- 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.

Approved:

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)