

## CCS Administrative Procedure

### 2.40.01-C Exempt and Administrative Employee Leave Administration

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#### Implementing Board Policy [2.40.01](#)

Contact: Payroll/Benefits Supervisor, 434-5291

#### 1.0 Leave Administration Objective and Responsibilities (summary of Board of Trustees Policy 2.40.01)

Community Colleges of Spokane will provide and administer a program for employee leaves of absence in a manner that will both serve the well-being of faculty and staff and the organization as a whole.

- 1.1 The following procedure applies specifically to administrators, confidential exempt, and professional exempt employees and is in addition to the general leave provisions identified in [Administrative Procedure 2.40.01–A](#) and [2.40.01–B](#).
- 1.2 The chief financial officer and the chief strategy and administration officer, as appropriate, are responsible for ensuring leave is administered in good faith and consistent with the rights and responsibilities provided by statute or this procedure and for providing information and training specific to these rights and responsibilities.
- 1.3 Managers are responsible for managing their staff's leaves and keeping the employee, the HR Office and the Employee Compensation Department (as appropriate) informed of changes in status, rights and need for information. Additionally, managers are responsible for ensuring that no employee returns to work without the appropriate medical release.
- 1.4 The integrity of the leave approval and reporting process is critical for accountability purposes. Accurate and timely leave reporting by all employees is necessary to meet standards and criteria for reporting outcomes, costing programs, and safety and liability purposes.
- 1.5 Employees are responsible for reporting leaves and providing the notice and information necessary for CCS to effectively administrate this procedure and direct its workforce. Employees are to have an established work schedule so that their managers are aware of the expected times they will be working, and employees are expected to have a routine work schedule. If employees desire to flex their hours on a specific day, this must be approved by their supervisor.
- 1.6 State regulations require that all employees be either at work or on approved leave during a pay period. CCS is a public employer. As such, executive, administrative, and/or professional employees who qualify as salary basis employees are required to take vacation leave or sick leave for absences of less than one day.

#### 2.0 Definitions

The following definitions are specific to the terms of this procedure and do not modify or revise similar terms as used in related procedures.

- 2.1 **Bereavement**: leave, subject to verification, provided when an employee's family member (as defined in section 2.3) dies.
- 2.2 **Emergency health condition**: a sudden, generally unexpected occurrence or set of circumstances related to a person's health, which requires immediate action and is typically short-term in nature.
- 2.3 **Family members (bereavement)**: Family members are defined for this purpose as, spouse, parent, domestic partner, sibling, parent-in-law, domestic partner's parent, grandparent, grandchild, child, and a child in the custody of and residing in the home of

an employee. This also includes persons who reside in the same home who have reciprocal duties to and do provide financial supports 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.

Parent is further defined as a biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood *in loco parentis* to an employee when the employee was a child. A person who had day-to-day responsibilities to care for and financially support the employee when they were a child is considered to have stood *in loco parentis* to an employee.

- 2.4 Family members (other leave): includes parent, stepparent, parent-in-law, sibling, spouse, domestic partner, grandparent, grandchild, minor/dependent child, and child. Also includes persons who reside in the same home who have reciprocal duties to and do provide financial support for one another. Does not include persons sharing the same house when the living style is primarily that of a dormitory or commune.
- 2.5 Leave of absence: a paid or unpaid approved absence from work for a specified period of time for medical, parental, or personal reasons.
- 2.6 Leave without pay: unpaid approved absence.
- 2.7 Personal holiday: an employee benefit, usage subject to advance supervisory approval, providing paid release from work for personal reasons where the employee is scheduled to be, or has been, continuously employed for at least four months. Must be used within the calendar year and must be taken as a full day unless donated as shared leave.
- 2.8 Sick leave: an employee right, exercised subject to qualification, accrual, and reporting, which provides paid release from work for reasons of personal illness or injury or the illness/injury of family members. May also be used for treatment and care related to the illness/injury.
- 2.9 Vacation leave: an employee benefit, usage subject to advance supervisory approval, providing paid release from work for personal reasons. Vacation leave balances shall be allowed for reasons of family care emergencies or for an emergency health condition, subject to verification.

### 3.0 Vacation Leave Administration

General provisions regarding leave request, approval and documentation are provided in Administrative Procedure [2.40.01-B](#).

- 3.1 Vacation Leave Accrual: the following vacation leave accrual rates apply effective July 1, 2018:
- 3.1.1 Administrative and exempt personnel, otherwise eligible to earn and accrue annual leave shall earn such leave at the rate of:
- a. For seven (7) full calendar years or less of continuous, uninterrupted exempt/administrator service, the incumbent shall earn 1.83 days (14.67 hours) per month, beginning with the first full month of employment.
    1. Where a classified employee, currently accumulating vacation leave at greater than 14.67 hours per month, transfers into an exempt/administrator position that incumbent shall accumulate leave per section b.
  - b. For seven (7) full calendar years or more of continuous, uninterrupted exempt/administrator service, the incumbent shall earn 2.08 days (16.67 hours) per month, beginning with the first full month of service following eligibility.

- c. Leave accumulated pursuant to this section may not exceed forty-five (45) days (360 hours) unless an extension is approved following the procedure in 3.1.2. The vacation balance must be below 360.0 hours on the last day of each month, otherwise, no vacation hours will accrue. To receive the full monthly vacation accrual, the vacation balance on the last day of the month (before accruals are posted for the month), should not exceed 345.33 for 14.67 monthly accruals, or 343.33 for 16.67 monthly accruals.
- 3.1.2 Vacation leave may be accumulated in excess of 360 hours under the following circumstances:
  - a. If an employee's request for vacation leave is denied by the supervisor, an extension may be granted for each month vacation leave is deferred until the employee's anniversary date. A statement of necessity from the supervisor must be provided for each month the leave balance exceeds 360 hours.
  - b. If operational necessity requires deferral of vacation leave beyond the employee's anniversary date, approval is required by the employee's supervisor and appointing authority. A written statement must be provided for each month the leave balance exceeds 360 hours beyond the anniversary date.
  - c. The chancellor must approve vacation leave cash outs in excess of 360 hours. The approval/denial of this exception will be based on the documented reasons for the excess accumulation.
- 3.2 The vacation leave accrual for administrative and exempt personnel with less than full-time appointments will be prorated based upon the appointment's percentage of full-time.
- 3.3 Vacation Leave Use: Advanced approval for use of vacation leave is required of administrative and exempt employees. The leave shall be approved by the employee's immediate supervisor.
- 3.4 Vacation Leave Cash Out: An employee who separates from service with adequate notice is entitled to a lump sum payment of unused vacation leave. The payment is computed using the formula established by the Office of Financial Management. No contributions are to be made to the department of retirement systems for lump sum payment of excess vacation leave accumulated under the provision of 3.1.2.
  - a. The administrative/exempt employee group may vote annually to authorize CCS to transfer vacation cash-out compensation at retirement to a Voluntary Employee Benefits Association (VEBA) account.
  - b. If adopted by a majority of employee group votes, vacation cash out compensation for RETIRING employees will be transferred to a VEBA account tax-free, to be used for out-of-pocket medical/dental costs. See [Administrative Procedure 2.20.01-F](#) for more information.
  - c. Vacation cash-outs for separating employees are not eligible for VEBA transfer.

#### 4.0 Sick Leave

- 4.1 Sick Leave Accrual: Upon initial employment with CCS, full-time administrative and exempt personnel shall be granted twelve (12) days or 96 hours of sick leave. An eligible employee may not accrue sick leave at a rate in excess of eight (8) hours per month.

- 4.1.1 The monthly accrual for administrative and exempt personnel with less than full-time appointments will be prorated based upon the appointment's percentage of full-time.
  - 4.1.2 Unused sick leave credits of employees who change state employers without a break in service transfer with the employee to the new employer. [WAC 357-31-110](#)
  - 4.1.3 **Transfer In Hours:** A contracted administrative or exempt employee may transfer existing sick leave that previously was earned while working for another Washington State agency or institution of higher education to CCS in accordance with Washington State statute. Upon request from the employee, the Employee Compensation Department will request a transfer of sick leave balance from the previous employer.
    - 4.1.3.1 Employees transferring in less than 96 hours shall be granted sick leave up to 96 hours and shall begin accruing sick leave in the month after the hours granted were applied to the number of months accrual needed to reach 96 hours. For example, an employee transfers to CCS in February with 84 hours of sick leave balance from EWU. Twelve (12) hours of sick leave are granted to the employee in February, the first month of employment (to equal 96 hours). In April, the employee shall begin his/her monthly accrual of eight (8) hours of sick leave (February and March accounted for in the twelve (12) hours granted).
    - 4.1.3.2 Employees transferring in 96 or more hours shall begin accruing sick leave in the first month of employment.
  - 4.1.4 **Transfer Out Hours:** When employees leave CCS to work at another state agency, only sick leave hours earned up to that time are available for transfer out. If an employee leaves CCS before earning the initial 96 hours of sick leave granted, only the portion of hours earned will be transferrable.
    - 4.1.4.1 **For example**, an employee works for CCS for two months, earning 16 hours and then leaves to work at another state agency. Only the 16 hours earned in the two months while working for CCS may be transferred upon request. If the employee had transferred hours in from another state agency, those would be available for transfer out.
    - 4.1.4.2 **For example**, an employee transfers in 30 hours from a previous state agency. They were granted 96 hours upon hire at CCS (30 hours transferred in and 66 hours from CCS), and works here two months before leaving, without using any sick leave. The total hours of 46 (30 transferred in and 16 earned in two months) would be available to transfer to another state agency.
    - 4.1.4.3 If any sick leave hours were used during their two months with CCS, those hours will not be available for transfer. **For example**, upon hire, an employee is granted 96 hours sick leave and uses 4 hours in the first month. They leave CCS to work for another state agency at the end of two months, accruing 16 hours. Total available hours for transfer to another state agency is 12 (16 earned minus the 4 used).
- 4.2 **Sick Leave Use:** Sick leave shall be allowed under the following conditions:
- 4.2.1 For personal illness, disability, or injury.
  - 4.2.2 For personal health care appointments or for family members' appointments when the presence of the employee is required.

- 4.2.3 Because of illness or injury of a family member who is a person of disability and requires the employee's presence to provide short-term care or to make arrangements for extended care (see [Administrative Procedure 2.40.01-A](#)).
- 4.2.4 For condolence or bereavement.
- 4.2.5 The immediate supervisor may require an employee to provide a release to duty prior to return-to-work for any health condition (including treatment or recovery) lasting more than five consecutive work days (see [Administrative Procedure 2.40.01-A](#)).
- 4.2.6 Sick leave exceeding five consecutive calendar days will run concurrently with Family Medical Leave (see [Administrative Procedure 2.40.01-A](#)).
- 4.2.7 Annual sick leave cash out and sick leave cash out at retirement are available to exempt employees as specified in [Administrative Procedure 2.40.01-B](#).
- 4.2.8 Family Medical Leave Act: FMLA is available to exempt employees as specified in [Administrative Procedure 2.40.01-A](#).

## 5.0 Parental Leave and Family Care Emergency Leave

- 5.1 Parental leave shall be granted to a permanent employee because of the birth of a child of the employee and to provide care, or because of the placement of a child with the employee for adoption or foster care. Such leave runs concurrently with Family Medical Leave (see [Administrative Procedure 2.40.01-A](#)).
  - 5.1.1 An employee must apply for parental leave through the Human Resources Office. Leave for up to 12 consecutive calendar weeks is available for exempt employees.
  - 5.1.2 During an approved parental leave, employees may use any combination of vacation leave, personal holiday, compensatory leave or leave without pay. Sick leave may only be used in circumstances where pregnancy is accompanied by disability associated with the pregnancy and only with medical certification.
- 5.2 Family care emergency leave is provided for the following emergency situations:
  - 5.2.1 Minor/dependent childcare emergencies such as unexpected absence of regular care provider, unexpected closure of child's school, or unexpected need to pick up child at school earlier than normal.
  - 5.2.2 Elder care emergencies such as the unexpected absence of a regular care provider or unexpected closure of an assisted living facility.
  - 5.2.3 The employee may choose any of the following leave categories to use to account for time away from work for family care emergency, contingent upon his/her eligibility to use that leave:
    - Vacation or personal leave/holiday
    - Sick leave
    - Leave without pay

## 6.0 Disability Leave

- 6.1 Leave shall be granted for a reasonable period to a permanent employee who is precluded from performing his/her regularly job duties because of a disability (including those related to pregnancy or childbirth). Disability leave includes a serious health condition of the employee as provided in the federal Family and Medical Leave Act of 1993 (see [Administrative Procedure 2.40.01-A](#)).

- 6.2 An employee shall apply for a disability leave through the Human Resource Office when the employee is (or plans to be) out of the office on sick leave for more than five days.
- 6.3 The disability and recovery period shall be defined and certified by the employee's licensed health care provider. The employee shall provide, in a timely manner, a copy of such certification to the Human Resource Office.
- 6.4 Disability leave, including leave due to serious health condition per FMLA may be a combination of sick leave, vacation leave, personal holiday, compensatory time and leave of absence without pay and shall be granted at the written request of the employee. The combination and use of paid and unpaid leave during a disability leave shall be per the choice of the employee.
- 6.5 If necessary due to continued disability, the employee shall be allowed to use eight hours of accrued paid leave per month for up to four months, including the twelve workweeks provided in FMLA, to provide for continuation of benefits as provided by the Public Employees' Benefits Board (PEBB). The employee is required to exhaust all paid leave prior to using any LWOP, except as noted above for the continuation of benefits as provided by the PEBB. The Employee Compensation Department shall designate on which day of each month the eight hours paid leave will be used.
- 6.6 The employee should contact the Employee Compensation Department for information regarding filing a claim on long-term disability insurance.
- 6.7 Leave usage shall be documented on the "Leave Authorization Form" signed by the employee and supervisor and forwarded to the Employee Compensation Department no later than the first working day following the end of the pay period.
- 6.8 If the employee is unavailable to complete leave forms, the supervisor is responsible for providing leave forms to the Employee Compensation Department by the appropriate deadline.

**7.0 Bereavement Leave**

Up to five (5) days of paid bereavement leave will be granted for the death of any family member or household member (as defined by section 2.3) that requires the employee's absence from work.

**8.0 Holidays**

Administrative and exempt employees will receive the following legal holidays, established by section [RCW 1.16.050](#)

- 8.1 The first day of January (New Year's Day)
- 8.2 The third Monday of January (Martin Luther King Jr.'s birthday)
- 8.3 The third Monday of February (Presidents' Day)
- 8.4 The last Monday of May (Memorial Day)
- 8.5 The nineteenth day of June (Juneteenth)
- 8.6 The fourth day of July (Independence Day)
- 8.7 The first Monday in September (Labor Day)
- 8.8 The eleventh day of November (Veterans Day)
- 8.9 The fourth Thursday of November (Thanksgiving Day)
- 8.10 The day immediately following Thanksgiving Day
- 8.11 The twenty-fifth day of December (Christmas Day)

## 9.0 Personal Holiday

**9.1 Personal Holiday Accrual:** Exempt and administrator staff will be granted eight (8) hours of personal holiday leave annually, accrued at the beginning of each calendar year provided they have been continuously employed by the institution for more than four months.

9.1.1 If the employee is initially employed on or after September 1 of the calendar year, no personal holiday will be awarded for that calendar year (and will have to wait until their fourth month anniversary before the personal holiday can be used).

9.1.2 Personal holiday must be used within the year it is accrued. If the 8 hours are not used by December 31 of the year earned, the hours will be lost.

9.1.3 The personal holiday accrual for administrative and exempt personnel with less than full-time appointments will be prorated based upon the appointment's percentage of full-time.

9.2 The personal holiday must be taken as a full day.

## 10.0 Appeal Process

Exempt and administrative employees may appeal the implementation and administration of this procedure to the CCS Chief Human Resource Officer or Chief Financial Officer within thirty (30) calendar days of being denied leave under this procedure.

The Chief Human Resources Officer or Chief Financial Officer shall review the circumstances and concerns addressed in the appeal and provide a decision to the employee within twenty (20) calendar days of the appeal.

## 11.0 Related Information

11.1 [Administrative Procedure 2.40.01–A](#) Family Medical Leave and Return to Work

11.2 [Administrative Procedure 2.40.01–B](#) General Leave Administration

11.3 [Administrative Procedure 2.20.01–F](#) VEBA

11.4 [RCW 1.16.050](#) Legal holidays and legislatively recognized days

11.5 [WAC 357-31-110](#) Leave

11.6 [WAC 357-01-145](#) Employer

11.7 [WAC 357-01-172](#) Family members

11.8 [WAC 357-01-182](#) Household members

11.9 [WAC 357-01-227](#) Parent

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