

ARTICLE 14
LEAVES OF ABSENCE WITH PAY

Sick Leave

14.1 Sick Leave shall be credited in accordance with HR Technical Letter HR/Leaves 2014-02, or in any superseding or controlling Technical Letter.

14.2 The use of sick leave may be authorized by the appropriate administrator only when an employee is absent because of:

- a. illnesses, injury, or disability related to pregnancy;
- b. exposure to contagious disease;
- c. dental, eye, other physical or medical examinations or treatments by a licensed practitioner;
- d. family care, meaning illness or injury in the immediate family.
- e. death of a person in the immediate family.

Upon written request, the appropriate administrator may authorize the use of accrued sick leave for bereavement.

The granting or denial of such additional use of sick leave in provisions 14.2 (d) and (e) shall be the prerogative of the appropriate administrator and shall not be subject to Article 7, Grievance Procedure.

14.3 The President may direct an employee to take sick leave if he/she determines that the employee has restricted ability to carry out his/her duties due to illness.

14.4 An employee may be required to undergo a medical examination as directed by the President to ascertain the employee's ability to perform his/her required duties. If such an examination is by the physician selected by the employer, the CSU shall bear the costs of such medical examination.

In cases where an employee has a written full medical release without restriction to return to work and the appropriate administrator believes that the employee is unable to perform the duties of the position, the appropriate administrator shall consult with

the Human Resources Director. If the employee is unable to be at work while the decision is being reviewed, the employee must be placed on paid administrative leave.

- 14.5 Under no circumstances may an employee be granted sick leave for days during a leave of absence without pay. An employee may not be granted sick leave during periods when the campus or department is closed unless the employee was on sick leave prior to the time of the campus or department closure.
- 14.6 “Immediate family” as used in this Article shall mean:
- a. The employee’s spouse or domestic partner;
 - b. The employee, spouse or domestic partner’s: parent, step-parent, grandparent, great-grandparent, sibling, child or grandchild (including foster, adopted and step), aunt, uncle;
 - c. The employee’s son-in-law, daughter-in-law;
 - d. A person living in the immediate household of the employee, except domestic employees, roomers, boarders, and/or roommates.

Absence as a Witness

- 14.7 Instructors serving as court-subpoenaed witnesses or expert witnesses in the interest of the CSU shall seek the payment of witness fees. Whenever possible, Instructors shall confer with the attorney requesting their appearance to determine whether certified copies of appropriate documents would be suitable and would eliminate the need for a court appearance.
- 14.8 An Instructor who is absent as a court-subpoenaed witness or expert witness in the interest of the CSU shall be paid the Instructor’s hourly rate for the corresponding period of absence. No portion of the Instructor’s hourly rate shall be forfeited as the result of such an appearance; however, all court fees (except personal travel and/or subsistence payments) shall be remitted to the CSU. If an exceptional circumstance occurs whereby the Instructor does not remit such fees, an amount equal to the fees shall be deducted from the Instructor’s wages.
- 14.9 An Instructor who receives court fees in excess of regular earnings may keep the excess and need remit only an amount equal to the compensation paid the Instructor while on leave. If the Instructor retains the entire fee, the Instructor shall be docked for the period of absence.

- 14.10 An Instructor serving as a court-subpoenaed witness on a holiday shall serve on his/her own time.
- 14.11 An Instructor who is a party to a suit or who is an expert witness not serving in the interest of the CSU shall appear on his/her own time.

Bereavement/Funeral Leave

- 14.12 For each death of an immediate family member, upon request to the President, the employee shall be granted two (2) days leave with pay for those hours the Instructor was scheduled to work.
- 14.13 Upon request, bereavement/funeral leave may be supplemented with an employee's own leave credits.

Jury Duty

- 14.14 An hourly employee shall be eligible for time off with pay for jury duty only for those hours the Instructor was scheduled to work.
- 14.15 An employee who receives initial notification that the Instructor is subject to jury duty shall notify the first level administrator.
- 14.16 The employee is required to notify the appropriate administrator in writing prior to taking leave for jury duty. Verification of actual service for jury duty shall be provided by the employee when requested by the appropriate administrator. If any employee's jury service is for more than fifty percent (50%) of their assigned work shift, employees do not need to report for work following the completion of jury service.

Military Leave

- 14.17 Emergency military leave, temporary military leave, and indefinite military leave shall be granted to eligible Instructors in accordance with state and federal laws.

Reporting Absences

- 14.18 An Instructor shall be responsible for reporting an absence to the appropriate administrator as soon as possible in compliance with department and campus policies.

The CSU recognizes that extenuating circumstances may prevent an Instructor from calling in before the start of his/her class, but the Instructor will make every effort to call in as far in advance as possible.

- 14.19 An employee may be required to provide a licensed health care provider's statement or other appropriate verification when absent due to illness/injury. An employee shall not normally be required to provide such a statement or verification for an absence of five (5) work days or less.