

70309 Leave – Classified Personnel

The College recognizes the following types of leave for classified personnel, as applicable, described below: annual leave, sick leave, court, jury and election leave, leave for educational and job development activities, catastrophic disability leave, military leave; family and medical leave, servicemember family and medical leave, bereavement leave and leave without pay.

The President may require an employee to furnish satisfactory evidence of entitlement before approving applications or requests for any leave benefits.

Annual Leave

The Board of Governors shall from time to time determine and promulgate the annual leave provisions for each group of non-bargaining unit regular classified personnel for the purpose of granting paid time off work to be used for vacations, rest and relaxation, and personal business. Unused accrued annual leave will be paid out to classified personnel upon their separation from employment with the College. The President is authorized to establish guidelines and procedures for processing annual leave requests.

Annual leave provisions for bargaining unit employees will be addressed in their extant collective bargaining agreement(s). If not addressed in the extant CBA, this policy shall apply.

Sick Leave

The Board of Governors shall from time to time determine and promulgate the sick leave provisions for all non-bargaining unit regular classified employees for purposes of attendance at medical/dental appointments, illness or injury of the employee or illness or injury of a member of the employee's immediate family for whom he or she must provide care. The President may require the employee to provide a physician's statement to support the employee's request for such leave when it is for the illness or injury of the employee or their immediate family member, and for determination of fitness to return to work at the College. Sick leave is paid leave to the extent that the employee has sufficient accrued sick leave to cover the time that they are absent from work. The President is authorized to establish guidelines and procedures for processing sick leave requests.

Sick leave provisions for bargaining unit employees will be addressed in their extant collective bargaining agreement(s). If not addressed in the extant CBA, this policy shall apply.

Court, Jury and Election Service Leave

Leave with pay shall be authorized, per state law, for any employee who is required to report for jury duty or ordered to serve as an election official. Any payment received for court, jury or election service, exclusive of mileage and parking fee reimbursement, must be turned over to the College. Contact the payroll office for the repayment options available. A full accounting of payment received by the employee for court, jury or election service shall be provided at the conclusion of the leave period through normal supervisory channels.

Leave with pay shall also be authorized for any regular classified employee who is subpoenaed in litigation to which:

- (1) He or she is not a party; or
- (2) He or she is a party by reason of his/her employment with the College.

The President is authorized to establish guidelines and procedures for processing court, jury and election service leave requests.

Educational and Job Development Activities

Regular classified employees may be granted release time to attend in-service activities. Additionally, regular classified employees may request an approved absence to be used for purposes, such as enrolling for College classes or other job development activities. The President is authorized to establish guidelines and procedures for processing requests from regular classified employees to participate in educational and job development activities.

Catastrophic Disability Leave

Catastrophic disability leave applies to all full-time regular employees who have been employed in one or more full-time regular positions at the College for a minimum of one year immediately preceding the commencement of the absence in question. Catastrophic disability leave provides pay to a disabled employee during the ninety-day waiting period required before he or she is eligible for consideration under the College's long-term disability insurance plan. The award of catastrophic disability leave is at the discretion of the President and is intended to be made available only in situations in which the occurrence of long-term disability is anticipated. The President is authorized to establish guidelines and procedures for processing catastrophic disability leave requests.

Military Leave

Classified employees may take military leave in accordance with leave rights prescribed by state and federal laws.

- (1) State of Nebraska Non-Emergency Active Service - Employees who are members of the National Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, or Coast Guard Reserve may take military leave when summoned into or employed in non-emergency active military service of the State of Nebraska; for example, Reserve or National Guard summer camps. The College will pay the employee's normal daily rate of pay to such employees, not to exceed fifteen (15) work days in any one calendar year, during such non-emergency active service. This service, for up to fifteen (15) work days in any one calendar year, will not result in a reduction of the employee's accrued annual leave.
- (2) State of Nebraska Emergency Active Service - Employees who are members of the National Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, or Coast Guard Reserve ordered to emergency active service by the Governor of

Nebraska; for example, to serve during tornado, flood, and blizzard emergencies, will be granted state of emergency leave until released from such emergency active service by competent authority. The College will pay the difference between the employee's military salary or compensation and the employee's normal College salary or compensation, provided the College salary or compensation is greater.

Note: Similarly situated College employees who are residents of a state other than Nebraska and are called to duty for non-emergency or emergency active service in or by their state will be granted comparable military leave in accordance with the provisions outlined above.

(3) Federal Service

- (a) Employees who are members of the National Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, or Coast Guard Reserve may take military leave when ordered into or employed in the military service of the United States; that is, the federal government. The College will pay the employee's normal daily rate of pay to such employees for a period not to exceed fifteen (15) work days in any one calendar year. This service for up to fifteen (15) work days in any one calendar year will not result in a reduction of the employee's accrued annual leave.
- (b) Employees may take military leave to undergo military training with the armed forces of the United States. The College will pay the employee's normal daily rate of pay to such employees, not to exceed fifteen (15) work days in any one calendar year, during such service.

The President is authorized to establish guidelines and procedures for processing military leave requests.

Family and Medical Leave

In compliance with the provisions of the federal Family and Medical Leave Act (FMLA), qualified classified employees are entitled to the equivalent of up to twelve (12) weeks off work during a rolling twelve-month period, without pay, due to the qualifying medical condition of the employee or a qualifying immediate family member for whom the employee must provide care. The employee shall be reinstated to the same or a comparable position upon their timely return from leave under the FMLA without penalty. The President is authorized to establish guidelines and procedures for processing FMLA leave requests.

Servicemember Family and Medical Leave

In compliance with the provisions of the federal Servicemember Family and Medical Leave Act (Servicemember FMLA), qualified classified employees are entitled to time off work, without pay, due to (1) a "qualifying exigency" arising out of a covered family member's active duty or call to active duty in the armed forces (up to twelve (12) weeks in a rolling twelve (12) month period), or (2) to care for a covered family member who has incurred an injury or illness in the

line of duty while on active duty in the armed forces, provided that such injury or illness may render the family member medically unfit to perform the duties of the member's office, grade, rank or rating (up to twenty six (26) weeks in a single twelve (12) month period). The employee shall be reinstated to the same or a comparable position upon their timely return from leave under the Servicemember FMLA without penalty. The President is authorized to establish guidelines and procedures for processing Servicemember FMLA leave requests.

Bereavement Leave

Non-bargaining unit regular classified employees may be granted bereavement leave in the event of a death within the employee's immediate family. Further, bereavement leave may be granted for attendance at the funeral service for a coworker at the College where there has been a personal friendship. The President is authorized to establish guidelines and procedures for processing bereavement leave requests. Bereavement leave shall be paid leave.

Bereavement leave provisions for bargaining unit employees will be addressed in their extant collective bargaining agreement(s) (CBA). If not addressed in the extant CBA, this policy shall apply.

Leave Without Pay

Leave without pay may, in the sole discretion of the President, be granted to those employees who have an appointment of one-half time or more. The President is authorized to establish leave without pay guidelines and procedures for processing requests for leave without pay.

During a period of leave without pay of more than one month, the employee may retain health insurance and life insurance by prepaying to the College in advance the employee's share of the premiums that will accrue during any period for which the employee will not be receiving pay, and his/her failure to do so may result in cancellation of coverage without further liability to the College.¹ Regular classified employees on extended absences because of personal illness or injury for a period of time exceeding accumulated annual and sick leave days may be eligible for leave without pay. The President is authorized to establish guidelines and procedures for processing leave without pay requests.

(Amended 12/18/84; 12/16/14)

¹ Insurance retention provisions during a period of leave without pay are subject to change pursuant to College insurance contracts. Employees are encouraged to verify the current insurance retention provisions prior to taking leave without pay.