

ARTICLE 43

Provisions Regarding Unpaid Leaves of Absence

The Board of Trustees has sole, exclusive and discretionary rights to grant leaves of absence, (e.g., educational leave, health leave, paid or unpaid, or extension of leave) as the Board sees fit and proper, on condition that such leaves shall not individually exceed any one (1) year in duration and that all continuous leaves granted to any individual member under any authority of this Article shall not, collectively, exceed two (2) years continuous duration.

- 43.1 Regular/contract members may be granted a leave without pay for not more than twenty-two (22) assigned duty days in any one (1) academic year at the approval of the Chancellor.
- 43.2 Regular/contract members requesting unpaid leaves of absence from twenty-three (23) assigned duty days to one (1) year may be granted such leave upon recommendation of the college President, the Chancellor and with approval of the Board of Trustees.
- 43.3 Except where specified elsewhere in this contract, members on unpaid leave over twenty-two (22) assigned duty days shall be eligible for and retain fringe benefits of their position (in accordance with each specific insurance program, carrier, and District requirements) by paying monthly prior to the tenth (10th) day of the month in advance, the full District and member costs of any such program(s). Members not electing to pay such total costs shall have such benefits rescinded until their return from leave.
- 43.4 Members on leave must notify the President of the appropriate college of their intent to return ~~by September 1st~~ for Spring Semester **by the first Friday of the preceding Fall semester** or ~~February 1st~~ for Fall Semester **by the first Friday of the preceding Spring semester**. The President or designee ~~will~~ **shall** notify the Associate Vice-Chancellor of Human Resources within five (5) days of receipt of the member's notice of intent to return.
- 43.5 Unless otherwise indicated, unpaid leaves may be extended or shortened by mutual agreement between the member and the college President with the approval of the Board of Trustees. In any case, an extension ~~will~~ **shall** not establish precedent for any other extension to any other member under the same or similar circumstances.
- 43.6 Members on unpaid leave are not eligible for an overload assignment (**per Article 18.5**), committee assignment or consultant contract with the District. Members on a partial unpaid leave may fulfill assigned time responsibilities as a part of their load but may not have assigned time as an overload. The member may be

consulted on department/division matters as needed. **Members on unpaid leave are eligible for summer/wintersession assignments (per Article 19.8).**

~~43.7 For application of the Family Medical Leave Act, contact the Human Resources office.~~