

ARTICLE 44

Parental, Child Rearing, and Family Medical Leave

~~The Board of Trustees may grant a personal unpaid child rearing leave for a maximum of six (6) months. The member will be granted fringe benefits for the leave period. The leave will begin at the time of maternity, delivery, paternity, or adoption, or within close proximity of that date, and terminate upon a date which meets the education needs of the students and has been mutually agreed between the member and his/her Vice President.~~

44.1 Parental and Child Rearing Leave:

44.1.1 A leave without pay with District-paid health and welfare benefit payments may be granted by the Board for a maximum of six (6) months upon the birth (after the pregnancy disability described in Article 32 concludes), adoption, or foster-care placement of a child. Parental Leave available under the California Family Rights Act (CFRA) may be taken for a maximum of 12 weeks, following pregnancy disability leave. Such leave may also be taken on an intermittent basis in minimum increments of two weeks for a total of 12 weeks of leave within one year of the birth, adoption, or foster care placement of a child. Leave available under CFRA and the federal Family Medical Leave Act (FMLA) shall run concurrent with the six (6) month leave under this paragraph. District-paid payments refer to those premiums normally paid by the District. Any portion normally paid by the faculty member is the responsibility of the faculty member.

44.2 Family Medical Leave:

44.2.2 Unpaid family medical leave may be taken to care for a son, daughter, spouse or parent (not parent-in-law) who has a serious health condition as defined by California Government Code Section 12945.2(c) (8)

44.2.3 Regular/contract faculty must have been employed for at least 12 months preceding the date of request to start the leave.

44.2.4 Eligible faculty are entitled to take up to a total of 12 work weeks of leave during the 12 months beginning with the first day of leave. Leave may be taken intermittently, provided the faculty submits certification from his/her health care provider which certifies that the intermittent leave is necessary for, or will assist in care of the family member. The certification for the family member must provide the date on which the serious health condition began, the probable duration of the condition, an estimate of amount of time which the health care provider believes the member needs to care for the family member, and a statement that the serious health condition warrants

the member's participation to provide care during the family member's treatment.

Faculty using leave on an intermittent basis must try to schedule the leave to minimize disruption to normal operations.

44.2.5 Faculty may take the leave provided in this section by using either available paid leaves, using unpaid leave, or a combination of both, up to twelve (12) weeks in total. Eligible faculty may use accrued sick leave before unpaid leave is taken. In addition, faculty may use personal necessity identified in Article 31.

44.2.6 During the period of leave defined in 44.2.4, the District shall maintain the faculty member's group health insurance coverage at the same level and under the same conditions as before the leave began.

44.2.7 Faculty must provide written notice to the appropriate Vice-President and the Associate Vice-Chancellor of Human Resources or designees at least leave 30 days prior to taking family care leave, or if 30 days notice is not possible due to circumstances beyond the faculty member's control, must provide notice as soon as reasonable.