



LONG BEACH
CITY COLLEGE

FAQ: Faculty Leaves

Sick Leave:

Question: Can I use my accrued sick leave when I am pregnant?

Answer: Yes, accumulated sick leave can be used for the length of time the doctor specifies. It is up to the doctor to determine how much time is necessary for the patient to recover (could be less or could be greater depending on the circumstances and could be prior to birth). Generally, doctors will put a patient on leave for a 6-8 week period following child birth.

Question: Can a doctor other than my OBGYN put me on pregnancy leave?

Answer: Under certain circumstances a doctor, other than an OBGYN, may determine an employee is unable to perform the duties of her position and put her on leave.

Statutory Leave:

Question: What happens if I run out of sick leave?

Answer: You will be given a maximum 100 days of Statutory Leave (STAT leave) and paid 50% of your salary until the doctor releases you back to work.

Question: If my teaching schedule is T/TH is my stat leave “charged” 2 days per week?

Answer: Contractually you are paid for a 5 day, 40 or 45 hour work week for 10 or 11 months. The first week of leave is calculated at actual hours worked and thereafter you would be “charged” 5 days per week for the length of time you are unable to work according to your doctor’s note.

Discretionary Leave:

Question: How many Discretionary days do I have and when can I use them?

Answer: You are entitled to 3 Discretionary days per fiscal year. These discretionary days are not deducted from sick leave and can be used for any purpose. They are not cumulative, will not roll-over to the next fiscal year and if you do not use them they will be lost.

Question: If I take a discretionary day will I be provided with a substitute?

Answer: Your department will provide a substitute for one (1) discretionary day per fiscal year and the remaining two (2) days of discretionary leave need to be used on a day when the District does not have to pay for a substitute. You will need to notify your office twenty-four (24) hours in advance.

Parental Leave:

Question: How many parental leave days do I have and when can I use them?

Answer: A faculty member who is a natural or adopting parent shall be entitled to ten (10) days of paid leave, deducted from sick leave, for the purpose of caring for the needs of the child.



Personal Necessity Leave:

Question: How many personal necessity days do I have and when can I use them?

Answer: Six (6) personal necessity days, each academic year, can be taken but these days will be deducted from your accrued sick leave. Personal necessity days can be used for any of the following situations:

- Death of a member of the immediate family
- Accident involving the faculty member's person or property, or the person or property of a member of the immediate family
- Appearance as a witness under official order
- Illness in the immediate family of the faculty member
- Home protection in the event of a natural catastrophe such as severe storm, fire, or earthquake
- Paternity
- Observance leave for certain religious holidays
- Appearance in any court or before any administrative tribunal as a litigant or party
- For reasons of compelling personal importance, the faculty must provide 24 hours advance notice to the division office of the intention to use this provision

California Disability Insurance:

Question: Am I eligible to receive California Disability?

Answer: No. The District does not participate in this State program or offer it. Instead we provide 100 days of Statutory Leave (STAT leave) for which you are paid 50% of your salary for up to 100 days.

Family Medical Leave Act (FMLA):

Question: What is FMLA?

Answer: Under the Family and Medical Leave Act of 1993 (FMLA), you are entitled to a total of up to 12 work weeks of unpaid leave during any 12-month period for the following purposes:

- the birth of a son or daughter of the employee and the care of such son or daughter;
- the placement of a son or daughter with the employee for adoption or foster care;
- the care of spouse, son, daughter, or parent of the employee who has a serious health condition; or
- a serious health condition of the employee that makes the employee unable to perform the essential functions of his or her positions.



Family Medical Leave Act (cont.):

Question: Am I eligible for Family Medical Leave (FMLA)?

Answer: An employee is eligible for FMLA leave if he/she has been employed by the District for at least 12 months and has been employed for at least 1,250 hours of service during the 12-month period immediately preceding the beginning of the leave.

Question: I have worked here for a year, how do I know how many hours I have worked?

Answer: You will need to call HR and know the date your doctor is putting you on leave.

Question: I have worked here for a year, how do I know how many hours I have worked?

Answer: Generally, a 40 hour per week position x 4 weeks = 160 hours per month. A 177 day faculty would work 1,416 hours and a 197 day employee would work 1,576 hours.

Question: If FMLA is unpaid, what is the benefit?

Answer: The benefit is protecting your position. Once you return from FMLA leave, an employee must be returned to their same position or to an "equivalent position with equivalent benefits, pay, status, and other terms and conditions of employment."

Question: What happens to my benefits if I am on FMLA?

Answer: As an employee on FMLA leave you are entitled to maintain health benefits coverage. However, an employee on unpaid FMLA leave (more than 30 days) will pay the employee and employer share of the premiums on the COBRA plan. Leave accrual does not continue on FMLA.

Question: Do I need to give an advance notice for FMLA?

Answer: Yes. An employee must provide notice of his or her intent to take family and medical leave not less than 30 days before leave is to begin. However, the District would like advance notice, if possible, for planning purposes.

Question: Can I use FMLA when I am pregnant?

Answer: Yes. An employee must provide notice of his or her intent to take family and medical leave not less than 30 days before leave is to begin. However, the District would like advance notice, if possible, for planning purposes.

California Family Rights Act (CFRA):

Question: What is CFRA?

Answer: Under the California Family Rights Act (CFRA), you are entitled to a total of up to 12 work weeks of unpaid leave during any 12-month period for the following purposes:

- the birth of a child for purposes of bonding;
- placement of a child in the employee's family for adoption or foster care;
- for the serious health condition of the employees child, parent or spouse
- for the employee's own health condition;



California Family Rights Act (cont.):

Question: Am I eligible for California Family Rights Act (CFRA)?

Answer: An employee is eligible for CFRA leave if he/she has been employed by the District for at least 12 months and has been employed for at least 1,250 hours of service during the 12-month period immediately preceding the beginning of the leave.

Question: I have worked here for a year, how do I know how many hours I have worked?

Answer: You will need to call HR and know the date of your expected leave.

Question: I have worked here for a year, how do I know how many hours I have worked?

Answer: Generally, a 40 hour per week position x 4 weeks = 160 hours per month. A 177 day faculty would work 1,416 hours and a 197 day employee would work 1,576 hours.

Question: If CFRA is unpaid, what is the benefit?

Answer: The benefit is protecting your position. Once you return from CFRA leave, an employee must be returned to their same position or to an "equivalent position with equivalent benefits, pay, status, and other terms and conditions of employment."

Question: What happens to my benefits if I am on CFRA?

Answer: As an employee on CFRA leave you are entitled to accrual of seniority and to participate in employee benefit plans, including life, short-term or long-term disability or accident insurance, pension and retirement plans, and supplemental unemployment benefit plans to the same extent and under the same condition as any other leave. This means an employee on unpaid CFRA leave will only pay the employee share of the premiums on the current payment schedule.

Question: Do I need to give an advance notice for CFRA?

Answer: Yes. An employee must provide notice of his or her intent to take California Family Rights Act (CFRA) not less than 30 days before leave is to begin. However, the District would like advance notice, if possible, for planning purposes.

Question: Can I use CFRA when I am pregnant?

Answer: No. An employee may use leave for reason of birth of her child if the child has been born by this date.

Question: Can I use CFRA leave to bond with my child when they are 2 years of age?

Answer: No. An employee taking leave for the birth, adoption, or foster care placement of a child must be completed within one year of the qualifying event.

Question: If both FMLA and CFRA are unpaid leave what is the difference?

Answer: They can be used for different reasons and at different times. The largest difference is the amount you will pay for your benefits.



Disability:

Question: What happens if I am disabled, do I have disability protection?

Answer: As a member of the CALSTRS Defined Benefit Program, you have disability protection under one of the CalSTRS disability benefit programs (if deemed eligible by STRS):

- Disability Allowance Program—Coverage A
- Disability Retirement Program—Coverage B

You may receive disability benefits if you meet both of these conditions:

- You meet the eligibility requirements, including age, service credit and timelines for application and medical documentation.
- You meet the definition of disabled as established for CalSTRS by the California Education Code and have a medically determined physical or mental impairment that is permanent or expected to last at least 12 continuous months. The impairment must prevent you from performing:
 - Your usual duties with or without reasonable modification from your employer.
 - Duties of a comparable level to your usual duties, which you are qualified for or can, become qualified for in a reasonable period of time with education, training or experience.
 - Employment at a comparable level at which you can earn at least two-thirds of your final compensation.

Detailed information is available at

http://www.calstrs.com/help/forms_publications/printed/disability_guide.pdf

Leave of Absence without Pay:

Question: Are my benefits covered when I am on leave of absence without pay?

Answer: If you are on unpaid leave for more than one month (except CFRA), you shall be permitted to participate in District health insurance plans by paying your health insurance premiums at the COBRA rate.

Detailed information is available at

<http://www.dol.gov/ebsa/faqs/faq-consumer-cobra.html>

Family Care Leave:

Question: What is Family Care leave?

Answer: Family Care Leave is an unpaid leave. Upon request, the Board of Trustees shall grant an unpaid leave of absence to any faculty member for a period of time of one (1) year for the purpose of rearing the faculty member's child/children (whether natural or adopted) or for the purpose of caring for ill or infirm member(s) of the faculty member's immediate family provided that the employee submit the leave of



Family Care Leave (cont.):

absence request form to Human Resources at least thirty (30) days prior to the anticipated beginning date of the leave. Exceptions to this notice requirement may be granted by the Board of Trustees.

Additional leave for up to one (1) additional year may be granted upon the request of the employee if the request is made at least thirty (30) days prior to expiration of family care leave and if the original need persists. Exceptions to this notice requirement may be granted by the Board of Trustees.

If a family care leave is taken pursuant to this section by an academic employee after the employee has begun work in a given school year, service credit shall be granted for the balance of that year and then no service credit shall be granted for any subsequent year of unpaid leave.

Question: How is Family Care Leave different that Family Medical Leave Act?

Answer: Family Care Leave is an unpaid leave that can be requested with an approval from the Board for up to one year. Additional leave for up to one additional year may be granted upon request of the employee. The Family Medical Leave Act provides employees up to 12 work weeks of unpaid leave during any 12-month period.

Additional Questions?:

Question: Who should I call for answers to additional questions regarding leaves, would it be Human Resources and/or Benefits?

Answer: Human Resources can answer additional questions you may have regarding leaves. Please call the Specialist responsible for Academic personnel at 938-4813 or the HR Manager – Academic at 938-4377.

If you need STRS information for you will need to contact them directly at the web site listed above. Similarly, for questions regarding COBRA rates, the web site is listed above.