

Monterey Peninsula Community College District

Administrative Procedure 7340 Leaves: Short-term Non-continuing Employees, Federal Work Study Students, Substitute, Interns, Tutors, Seasonal, and Other Temporary Employees.

1. The District shall use the “front loading” method and credit employees with 24 hours or three days of paid sick leave in the beginning of the year on July 1.
2. A year is defined as beginning on July 1 and ending on June 30.
3. Employees are eligible to use sick leave after completion of the 90th calendar day of employment.
4. Sick leave must be used at a minimum of two hour increments. The rate of pay shall be at the employee’s hourly wage.
5. If the need for paid sick leave is foreseeable, the employee shall provide reasonable advance notification. If the need for paid sick leave is unforeseeable, the employee shall provide notice of the need for the leave as soon as practicable.
6. The employee’s supervisor may ask to confirm that the use of sick leave qualifies according to the law and/or this administrative procedure.
7. Upon the oral or written request of an employee, an employer shall provide paid sick days for the following purposes:
 - (1) Diagnosis, care, or treatment of an existing health condition of, or preventive care for an employee.
 - (2) Diagnosis, care, or treatment of an existing health condition of, or preventive care for an employee’s family member.
 - (3) To obtain any relief or services related to being a victim of domestic violence, sexual assault, or stalking including the following:
 - A temporary restraining order or restraining order.
 - Other injunctive relief, to help ensure the health, safety, or welfare of the employee or his or her children.
 - To seek medical attention for injuries caused by domestic violence, sexual assault, or stalking.
 - To obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking.
 - To participate in the safety planning and take other actions to increase safety from future domestic violence, sexual assault, or staking, including temporary or permanent relocation.

8. "Family member" means any of the following:
 - (1) A child, which for purposes of this article means a biological, adopted, or foster child, stepchild, legal ward, a child of a domestic partner, or a child to whom the employee stands in loco parentis. This definition of a child is applicable regardless of age or dependency status.
 - (2) Parent, a biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.
 - (3) Spouse or a Registered Domestic Partner.
 - (5) Grandparent.
 - (6) Grandchild.
 - (7) Sibling.
9. Payment of sick leave shall be provided no later than the payday for the next regular payroll period after the sick leave was taken.
10. Employees shall be notified of their sick leave balances at the end of each pay period on the wage statement.
11. The District shall not compensate employees upon separation, termination or resignation for any unused sick leave.
12. If an employee separates from an employer and is rehired by the District within the same 12 month period, previously unused paid sick days shall be reinstated.
13. Any unused sick leave shall not be accrued or carried over from one year to the next year.
14. A supervisor shall not deny an employee the right to use accrued sick days, discharge, threaten to discharge, demote, suspend, or in any manner discriminate against an employee for using accrued sick days, attempting to exercise the right to use accrued sick days, filing a complaint with the department or alleging a violation of this article, cooperating in an investigation or prosecution of an alleged violation of this article, or opposing any policy or practice or act that is prohibited by the law and/or this administrative procedure.
15. An employee may file a complaint with the Labor Commissioner alleging violation of the law and/or this administrative procedure.

Note: This procedure does not pertain to any employees provided leave benefits under the terms of a collective bargaining agreement or other Board Policies or Administrative Procedures.

References: California Labor Code Sections 245-249, 230.1 and 233.
Effective July1, 2015