

FLATHEAD VALLEY COMMUNITY COLLEGE

Policy Manual

CHAPTER VI – HUMAN RESOURCES

SECTION 110: LEAVES OF ABSENCE

I. ANNUAL LEAVE

Annual leave is defined as leave of absence with pay for the purpose of rest, relaxation, or personal business at the request of the employee and with concurrence of the employer.

1. Annual leave for qualified employees is earned in accordance with the provisions of Section 2-18-611-617, M.C.A.
2. The employer may not terminate or separate an employee from employment or engage in any other act for purposes of circumventing the employee's rights with regard to annual leave.
3. An employee who terminates employment for a reason not reflecting discredit on the employee is entitled upon the date of termination to cash compensation for unused annual leave, assuming that the employee has worked the qualifying period.

II. SICK LEAVE

1. Sick leave for qualified employees is earned in accordance with the provisions of Section 2-18-618, M.C.A.
2. Abuse of sick leave is cause for dismissal and forfeiture of the lump-sum payments provided for in state law.

III. SICK LEAVE BANK

Employees may donate a yearly maximum of 40 hours of their accrued sick leave credits to another regular employee for a qualified catastrophic medical event. An employee may receive a fiscal year maximum of 240 hours of donated sick leave credits. The donating employee must maintain a minimum balance of 40 hours of sick leave. The leave will be donated on an hour-for-hour basis.

IV. BEREAVEMENT LEAVE

Up to two days of paid bereavement leave may be granted to attend to matters upon the event of a death or funeral attendance for an immediate family member (spouse, children, dependents, parents, grandparents, siblings, and the same relatives of the employee's spouse in like degree) with approval from the President. Other individuals may be included with prior approval of the President.

V. JURY DUTY/WITNESS SUBPOENA

Paid leave will be granted to an employee who is under proper summons as a juror or subpoenaed as a witness if all fees and allowances are submitted to the Human Resources Office within the pay period. However, if an employee elects to use annual leave to serve on a jury, the employee may retain the juror fees. An employee is not required to remit any expense or mileage allowance paid by the court.

Employees will be required to provide court documentation to the Human Resources Office and inform their supervisor as soon as feasible.

VI. MILITARY LEAVE

Military leave will be administered in accordance with 10-1-1006, 1007, 1009, M.C.A.

VII. PUBLIC SERVICE LEAVE

Employees shall be granted leave without pay for public service in accordance with 39-2-104 M.C.A. for employees elected or appointed to public office in the city, county or state. The leave shall not exceed 180 days per year while performing public service. Employees shall be restored to their prior position. An employee granted such leave shall return to work within ten (10) days of completion of the public service unless they are unable to do so because of illness or disabling injury certified to by a licensed physician.

VIII. LEAVE WITHOUT PAY

1. Leave without pay may be granted for a maximum of one calendar year upon approval of the President. Sick leave and annual leave, if applicable, must be exhausted prior to taking leave without pay. Employees on unpaid leave are not eligible for holiday pay and may use college property only if approved by the President.
2. Maternity/paternity leave without pay may be granted for a maximum of one calendar year to an employee unable to perform employment duties as a result of pregnancy, post-pregnancy complications, or other essential parenting responsibilities. Sick leave, if applicable and annual leave must be exhausted prior to taking maternity/paternity leave.

IX. FLEXIBLE SCHEDULE

A flexible schedule may be granted with approval of the supervisor and President or designee.

X. UNAPPROVED LEAVE

Unapproved leaves constitute unauthorized absence from assigned duties. The College will be reimbursed for an unauthorized absence by deducting the appropriate amount from the employee's pay. An unapproved absence will be grounds for disciplinary action up to and including termination of employment.

XI. WORK RELATED INJURY OR ILLNESS

Return to work after a job-related injury or illness requires a medical release form from the attending health care provider. If the provider recommends that the employee return to work with job-activity restrictions, the return must have approval of the Director of Human Resources and it is the supervisor's responsibility to ensure that the approval is in place before the employee returns to work.

REFERENCE: 10-1-1006, 1007, 1009 M.C.A; 39-2-104 M.C.A; 2-18-601, 612-618 M.C.A.; Uniformed Service Employment and Reemployment Rights Act (USERRA) of 1995

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