

FORM OF ORDER AND TRANSMITTAL BY BOARD, COMMISSION, OR COUNCIL

State of Washington

Board of Trustees

(name of governing body)

Community College District 12

(name of institution)

Resolution No. 81-1

Administrative Order No.

(1) Be it resolved by the board of trustees of the Community College District 12 acting at Olympia Technical Community College, Olympia, Washington that it does promulgate and adopt the annexed rules relating to:

LEAVE POLICIES (WAC 132L-112)

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 80-18-003 filed with the code reviser on 11/21/80. Such rules shall take effect:

- x pursuant to RCW 28B.19.050(2) at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

We, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is:

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of WAC 1-13-040 that each order shall set forth an appropriate statement of state statutory authority (fill in statement (a), (b), or (c) as appropriate):

(a) This rule is promulgated pursuant to RCW and is intended to administratively implement that statute.

(b) This rule is promulgated pursuant to RCW which directs that the

has authority to implement the provisions of

(name of act or RCW citation)

- x (c) This rule is promulgated under the general rule-making authority of the Community College District 12

as authorized in RCW Chapter 28B.10, 28B.50 & 41.48.140

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

(5) This order after being first recorded in the order register of this governing body is herewith transmitted to the Code Reviser for filing pursuant to chapter 28B.19 RCW and chapter 1-13 WAC.

STATE OF WASHINGTON

FILED APPROVED AND ADOPTED January 8, 1981

JAN 14 1981

By Russell Hanson District President

Title

[Form CR-10: Effective 12/1/77]

CODE REVISER'S OFFICE

WSR 81-03-037

AMENDATORY SECTION (Amending Order 80-21, filed 3/24/80)

WAC 132L-112-200 LEAVE WITH PAY. Full-time faculty and administrative employees shall be granted fifteen days upon the first day on which their initial assignment begins. After three quarters of employment, full-time employees shall accumulate such leave at a rate of five days per quarter for each quarter of full-time employment up to a maximum of one hundred eighty days. Such leave may be taken at any time subject to the following conditions and in compliance with the approval procedures set forth.

Effective July 1, 1981, full-time faculty and administrative employees shall be granted ten (10) days upon the first day on which their initial assignment begins. After three (3) quarters of employment, full-time faculty and administrative employees shall accumulate such leave at the rate of one (1) day for each calendar month during which a contractual day is worked. (Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 80-04-060 (Order 80-21, Resolution 80-21), & 132L-112-200, filed 3/24/80; Order 76-66, & 132L-112-200, filed 3/22/77. Formerly WAC 132L-112-100.)

AMENDATORY SECTION (Amending Order 76-66, filed 3/22/77)

WAC 132L-112-210 ILLNESS, INJURY, BEREAVEMENT AND EMERGENCY. (1) The Employer reserves the right to request reasonable proof in the event of leaves for illness or injury.

(2) Bereavement leave, up to a maximum of five (5) days per bereavement, shall be granted in the event of a death in the faculty member's immediate family. Leave time to pay last respects to very close deceased friends may be granted for a partial day without loss of pay.

(3) Emergency leave, not to exceed two days per year, shall be granted in the event a faculty member must meet legal, personal or business obligations which unexpectedly arise and cannot be fulfilled outside of the normally posted schedule. Such leave shall exclude attendance at state legislative meetings; lobbying, Association or Union activities or business, fund raising, or other activities of a political nature; leaves for the purpose of seeking prospective employment with another employer; and leaves for recreational purposes.

(4) In the event the spouse, child or immediate family of a full-time faculty member is seriously ill or injured and the presence of the employee is required at the place of emergency as a direct result, the faculty member may be granted leave with full pay for not more than three (3) days per contract year.

(5) Leaves for emergencies not covered by (3) and (4) above or exceeding the limits established in (2), (3), and (4) above may be granted upon recommendation by the appropriate dean ((~~director~~)) and approval by the District President.

(6) The employee will be required to provide a medical certificate verifying illness or injury when personal sick leave exceeds ten (10) continuous working days. The medical certificate shall be forwarded to the Personnel Director within two (2) working days upon returning to work. (Statutory Authority: RCW 41.48.140. Order 76-66, & 132L-112-210, filed 3/22/77. Formerly 132L-112-110.)

AMENDATORY SECTION (Amending Order 80-21, filed 3/24/80)

WAC 132L-112-280 COMPENSATION FOR SICK LEAVE. An attendance incentive program is hereby established for all eligible employees.

(1) Eligible employees - Eligible employees shall include those full-time faculty and administrative employees (~~(; other than teaching and research faculty;)~~) in District 12 who are entitled to accumulate leave.

~~((Eligible employees who have attained the previously established district limit may participate in the attendance incentive program by replacing (substituting) days accumulated in their first years of employment with a number~~

~~equal to those accumulated in 1979;--PROVIDED;--That the attorney general's office issues an opinion which would allow these employees to waive accumulation or to substitute these days;))~~

Pursuant to applicable statute, each full-time faculty or administrative employee's portion of sick leave allowance shall accumulate from year to year without limit.

(2) Two accounts - Such leave entitlement shall be accrued by full-time employees in two separate categories, the first identified as a "compensation account" and the second as an "auxiliary account".

(3) Current leave accumulation - One day of entitlement earned during each month of employment shall be credited to the compensation account, and all days earned in excess of one day for each month of employment during a calendar year shall be credited to the auxiliary account.

(4) Previously accrued leave - Employees with accrued leave under previous leave policies shall have such accruals divided between the two accounts so that not more than one day per month of full-time employment shall be credited to the ~~((auxiliary))~~ compensation account.

(5) Annual compensation for unused sick leave - Eligible employees shall receive monetary compensation for accrued sick leave as follows:

(a) In January of each year, and at no other time, an employee whose year-end sick leave balance exceeds sixty days may choose to convert sick leave days accrued in the previous calendar year to monetary compensation.

(b) Monetary compensation for converted compensable days shall be paid at the rate of twenty-five percent (at the rate of one day's pay for each four days accumulated in the compensation account) and shall be based upon the employee's current salary.

(c) All converted compensable days will be deducted from the employee's compensation account balance.

(d) ~~((The first twelve days of any))~~ Days of sick leave used during the previous year shall be drawn from the days accumulated in the compensation account during that same year and days in excess of ~~((twelve))~~ the annual accumulation shall be taken from the auxiliary account, until depleted, following which further absence shall be taken from the compensation account.

(e) No sick leave days may be converted which would reduce the calendar year-end balance below sixty days.

(f) Converted compensable days shall not exceed one day per month or the one hundred eighty-day maximum.

(g) Days cashed in during January of each year shall be limited to any compensable days earned the previous calendar year less sick leave days actually utilized during such period.

(h) No combination of circumstances shall result in more than one (1) compensable day being earned per month, or the 180 maximum in effect through spring quarter, 1980, being invalidated.

(6) Compensation for unused sick leave at retirement or death - Employees who separate from the district on or after September 1, 1979 (for faculty on or after June 12, 1980) due to retirement or death shall be compensated for their unused compensable sick leave accumulation at the rate of twenty-five percent. Compensation shall be based upon the employee's salary at the time of separation. ~~((For the purpose of this subsection; retirement shall not include "vested-out of-service" employees who leave funds on deposit with the retirement system;))~~

Days cashed in upon death or retirement shall include all compensable days as herein defined which have not previously been cashed in. Retirement shall mean eligibility to participate in the applicable retirement program upon termination of employment.

(7) Exclusions - Compensation for unused sick leave shall not be used in computing the retirement allowance; therefore no contributions are to be made to the retirement system for such payments, nor shall such payments be reported as compensation.

An employee who separates from the district for any reason other than retirement or death shall not be paid for accrued sick leave. (Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 80-04-060 (Order 80-21, Resolution 80-21), & 132L-112-280, filed 3/24/80.)