

State of Washington

Board of Trustees

(name of governing body)

Community College District 12

(name of institution)

Resolution No. 80-3

Administrative Order No.

(1) Be it resolved by the board of Trustees

of the Community College District 12 (institution)

acting at Olympia, Washington (place)

that it does promulgate and adopt the annexed rules relating to:

LEAVE POLICIES (WAC 132L-112, through 290)

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

This action is taken pursuant to Notice No. filed with the code reviser on. Such rules shall take effect:

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, The Board of Trustees of Community College District 12, 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:

The emergency adoption of the proposed amendments, to WAC 132L-112-040 through 290 will authorize designated college personnel to accommodate the following emergency reasons: (1) meet the January 1980 requirement of Chapter 150, Laws of 1979, 1st. Ex. Sess.; and (2) provide commonality between personnel rules and negotiated agreements.

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

(institution)

has authority to implement the provisions of

(name of act or RCW citation)

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

(institution)

as authorized in RCW Chapters 28B.50 and 28B.10

(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.

APPROVED AND ADOPTED January 23, 1980

FEB 13 1980

By [Signature]

President

Title

CODE REVISER'S OFFICE WSR 80-03-013

AMENDATORY SECTION (Amending Order 72-1, filed 1/19/72)

WAC 132L-112-040 THE HOURS OF DUTY. The instructor's basic contract is for ~~((180))~~ 177 days. Only through the effective scheduling of daily time can the instructional staff meet the goals of the college. The instructor's daily time should be carefully scheduled to allow for classroom preparation, presentations, laboratory or related instructional activities, scheduled and kept office hours for student consultation or advisement, necessary work with library services, administrative services, student services, meetings, committee work, and all other assignments deemed necessary by the college for its improved effectiveness.

It is fully recognized that the professional instructor freely spends considerably more time on his duties; his posted schedule (see Office Hours and Schedules) shall identify a basic thirty-five class hours weekly of scheduled and available periods. He should so schedule his time that he will be available on campus or other instructional stations, when students, colleagues, or administrators are most likely to need him. If for specific reasons he must deviate from his schedule, he should first get approval from his division chairman, who should also be informed of where the instructor can be reached in case of an emergency and when he expects to return to the campus.

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

WAC 132L-112-200 LEAVE WITH PAY. Full-time ~~((faculty-members))~~ faculty and administrative employees shall be granted fifteen (15) days upon the first day on which their initial assignment begins. After three (3) quarters of employment, such full-time ~~((faculty members))~~ employees shall accumulate such leave at a rate of five (5) days per quarter for each quarter of full-time employment up to a maximum of one hundred eighty(180) days, except as authorized in WAC 132L-112-280 (4). Such leave may be taken at any time subject to the following conditions and in compliance with the approval procedures set forth

AMENDATORY SECTION

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

WAC 132L-112-230 PROCEDURES OF OBTAINING LEAVE WITH PAY.

(1) Illness, Injury and Bereavement - The faculty member shall notify the appropriate dean / director or designee at the earliest possible time prior to departure of the necessity for the leave. Such notification shall include: (a) The nature of the leave; (b) The most appropriate coverage of the faculty member's assigned duties; (c) The estimated leave time; (d) When feasible, where the faculty member may be reached during each leave.

(2) Emergency and Other Leaves (Jury, Professional Meetings);

(a) Except for emergencies of a catastrophic nature, the requests should be submitted for emergency and other leaves well in advance of desired leave (preferably at least seven (7) days). The faculty member shall reduce to writing a request for such leave stating the purpose for which leave is sought and the most appropriate coverage of assigned duties.

(b) If applicable, requests for leaves involving travel reimbursement and/or per diem shall be submitted in accordance with administrative rules for travel approval on each campus as shown in the Faculty Handbook.

(c) The appropriate dean / director shall review all such requests and grant approval or denial prior to taking the requested leave. Reasons for denial shall be provided in writing.

(d) For emergencies of a catastrophic nature, the most expeditious means available for notifying the dean / director should be utilized. Upon return to the campus, the faculty member shall provide the necessary information to the dean / director to justify its inclusion in this category for payroll purposes.

(3) (Exceptions:

~~(a)---"Quarter-Ends-Day"-on-each-campus-calendar-is-one-of-the-180-contract-days-for-each-individual-contract---The-attendance-requirement-is-modified-so-that-attendance-on-campus-is-required-on-that-day-only-until-all-duties-assigned-to-the-employee-have-been-fully-completed.~~

~~(b) Deviations-from-posted-schedules-may-be-approved-by-the-division-chairman-and-consists-of-performing-the-employee's-regular-contractual-duties-but-in-a-location-different-than-that-which-is-posted-and-for-which-the-division-chairman-has-had-ample-time-to-arrange-for-any-needed-coverage-during-the-absence---Deviation-from-schedule-does-not-include-an-absence-from-any-scheduled-classes--)~~

Exception: Deviations from posted schedules may be approved by the division chairman and consists of performing the employee's regular contractual duties but in a location different than that which is posted and for which the division chairman has had ample time to arrange for any needed coverage during the absence. Deviation from schedule does not include an absence from any scheduled classes.

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

WAC 132L-112-250 UNAUTHORIZED ABSENCES. Unauthorized absence, approved leave without pay, or leave taken without following the procedures described herein shall result in a salary reduction on one of the following bases: (for these purposes "absence" or "leave" shall be defined as absence from the campus during scheduled hours of instruction or related services to students, or absence from regularly scheduled meetings of organizations or groups which the individual is expected to attend.)

(1) (~~1/7~~) 1/177 of the instructor's basic nine-month contract for each full day of absence, or

(2) 1/7 of a day's pay for each hour when leave is taken for a fraction of a day.

(3) Extenuating circumstances will be considered as a basis for modifying above items 1 and 2 by joint action of the District President, Division Chairman, and the appropriate dean/ director.

NEW SECTION

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.

(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 (1) day of entitlement earned during each month of employment shall be credited to the compensation account, and all days earned in excess of one (1) 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 (1) day per month of full-time employment shall be credited to the compensation account. Any days accrued in excess of one (1) per month shall be credited to the auxiliary 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 60 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 25% (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 12 days of any 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 12 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 (1) day per month or the 180-day maximum.

(6) Compensation for Unused Sick Leave at Retirement or Death - Employees who separate from the District on or after September 1, 1979, due to retirement or death shall be compensated for their unused compensable sick leave accumulation at the rate of 25%. Compensation shall be based upon the employee's salary at the time of separation. For the purpose of this sub-section, retirement shall not include "vested-out-of service" employees who leave funds on deposit with the retirement system.

(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.

NEW SECTION

WAC 132L-112-290 SEPARATION AND REEMPLOYMENT.

(1) Former District 12 faculty or administrative employees who are reemployed by the District within three years of separation shall have their former leave balance restored for use as provided in WAC 251-22-200.

(2) Upon subsequent retirement or death of a retired state employee who has returned to state service, only that unused compensation account balance accrued since the original retirement minus that taken within the same period may be compensated per the provisions of WAC 132L-112-280 (6); this restriction shall not apply to other returning employees.