

LOS ANGELES COMMUNITY COLLEGE DISTRICT  
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**808 ILLNESS LEAVE**

**Education Code Sections**

**88191.** Every classified employee employed five days a week by a community college district shall be entitled to 12 days leave of absence for illness or injury and such additional days, in addition thereto, as the governing board may allow for illness or injury, exclusive of all days the employee is not required to render service to the district, with full pay for a fiscal year of service.

A classified employee, employed five days a week, who is employed for less than a full fiscal year, is entitled to that proportion of 12 days leave of absence for illness or injury as the number of months the employee is employed bears to 12 and the proportionate amount, consistent with this formula, of such additional days, in addition thereto, authorized by the governing board for classified employees employed five days a week for a full fiscal year of service.

A classified employee employed less than five days per week shall be entitled, for a fiscal year of service, to that proportion of 12 days leave of absence for illness or injury as the number of days the employee is employed per week bears to five and is entitled to the proportionate amount, consistent with this formula, of such additional days, in addition thereto, authorized by the governing board for classified employees employed five days a week for a full fiscal year of service.

When these persons are employed for less than a full fiscal year of service, this and the preceding paragraph shall determine that proportion of leave of absence for illness or injury to which they are entitled.

Pay for any day of such absence shall be the same as the pay which would have been received had the employee served during the day. Credit for leave of absence need not be accrued prior to taking that leave by the employee and such leave of absence may be taken at any time during the year. However, a new employee of a district shall not be eligible to take more than six days, or the proportionate amount to which the employee may be entitled under this section, until the first day of the calendar month after completion of six months of active service with the district.

If the employee does not take the full amount of leave allowed in any year under this section, the amount not taken shall be accumulated from year to year with such additional days as the governing board may allow.

The governing board of each community college district shall adopt rules and regulations requiring and prescribing the manner of proof of illness or injury for the

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purpose of this section. These rules and regulations shall not discriminate against evidence of treatment and the need therefor by the practice of the religion of any well-recognized religious sect, denomination or organization.

This section shall not apply to a district in which the full-time equivalent student of the district is in excess of 400,000, if the district maintains sick leave policies not less than those in effect in such districts on January 1, 1961.

This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 3 (commencing with Section 88060).

**88195.** A permanent employee of the classified service who has exhausted all entitlement to sick leave, vacation, compensatory overtime, or other available paid leave and who is absent because of nonindustrial accident or illness may be granted additional leave, paid or unpaid, not to exceed six months. The board may renew the leave of absence, paid or unpaid, for two additional six-month periods or lesser leave periods that it may provide but not to exceed a total of 18 months.

An employee, upon ability to resume the duties of a position within the class to which he or she was assigned, may do so at any time during the leaves of absence granted under this section and time lost shall not be considered a break in service. The employee shall be restored to a position within the class to which he or she was assigned and, if at all possible, to his or her position with all the rights, benefits and burdens of a permanent employee.

If, at the conclusion of all leaves of absence, paid or unpaid, the employee is still unable to assume the duties of his or her position, the employee shall be placed on a reemployment list for a period of 39 months.

At any time during the prescribed 39 months that the employee is able to assume the duties of his or her position, the employee shall be reemployed in the first vacancy in the classification of his or her previous assignment. The employee's reemployment shall take preference over all other applicants except for those laid off for lack of work or funds under Section 88117 in which case the employee shall be ranked according to his or her proper seniority. Upon resumption of the employee's duties, the break in service will be disregarded and the employee shall be fully restored as a permanent employee.

This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 3 (commencing with Section 88060).

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**88196.** When a person employed in the classified service is absent from his or her duties on account of illness or accident for a period of five months or less, whether or not the absence arises out of or in the course of employment of the employee, the amount deducted from the salary due the employee for any month in which the absence occurs shall not exceed the sum which is actually paid a substitute employee employed to fill the employee's position during his or her absence.

Except in a district where the governing board has adopted a salary schedule for substitute employees of the district, the amount paid the substitute employee during any month shall be less than the salary due the employee absent from the employee's duties.

Entitlement to sick leave provisions under this section, if any, shall be considered "entitlement to other sick leave" for the purposes of computing benefits under Section 88192 if the absence is for industrial accident or illness and shall be used after entitlement to all regular sick leave, accumulated compensating time, vacation or other available paid leave has been exhausted.

This section shall not apply to any community college district that adopts and maintains, in effect, a rule which provides that a regular classified employee shall be credited once a year with a total of not less than 100 working days of paid sick leave, including days to which he or she is entitled under Section 88191. These days of paid sick leave, in addition to those required by Section 88191, shall be compensated at not less than 50 percent of the employee's regular salary. The paid sick leave authorized under such a rule shall be exclusive of any other paid leave, holidays, vacation, or compensating time to which the employee may be entitled. Nothing in this section shall preclude the governing board from adopting such a rule.

**88196.1** (a) (1) Notwithstanding any other law, during each school year, a classified employee may use his or her sick leave for purposes of parental leave for a period of up to 12 workweeks.

(2) In the community college districts that use the differential pay system described in the first paragraph of Section 88196, when an employee has exhausted all available sick leave, including all accumulated sick leave, and continues to be absent from his or her duties on account of parental leave pursuant to Section 12945.2 of the Government Code, the amount deducted from the salary due him or her for any of the remaining portion of the 12-workweek period in which the absence occurs shall not exceed the sum that is actually paid a substitute employee employed to fill his or her position during his or her absence.

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(3) In community college districts that use the differential pay system described in the last paragraph of Section 88196, when an employee has exhausted all available sick leave, including all accumulated sick leave, and continues to be absent from his or her duties on account of parental leave pursuant to Section 12945.2 of the Government Code, the employee shall be compensated at no less than 50 percent of the employee's regular salary for the remaining portion of the 12-workweek period of parental leave.

(4) Regardless of the type of differential pay system used by the community college district pursuant to paragraphs (2) and (3), the compensation a classified employee shall receive shall be no less than 50 percent of his or her regular salary for the remaining portion of the 12-workweek period of parental leave.

(b) For purposes of subdivision (a), all of the following apply:

(1) The 12-workweek period of parental leave shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of parental leave.

(2) An employee shall not be provided more than one 12-workweek period for parental leave during any 12-month period.

(3) Parental leave taken pursuant to this section shall run concurrently with parental leave taken pursuant to Section 12945.2 of the Government Code. The aggregate amount of parental leave taken pursuant to this section and Section 12945.2 of the Government Code shall not exceed 12 workweeks in a 12-month period.

(c) This section shall be applicable whether or not the absence from duty is by reason of a leave of absence granted by the governing board of the employing community college district.

(d) Notwithstanding subdivision (a) of Section 12945.2 of the Government Code, a classified employee is not required to have 1,250 hours of service with the employer during the previous 12-month period in order to take parental leave pursuant to this section.

(e) Nothing in this section shall be construed to diminish the obligation of a public school employer to comply with any collective bargaining agreement entered into by a public school employer and an exclusive bargaining representative pursuant to Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code that provides greater parental leave rights to employees than the rights established under this section.

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(f) For purposes of this section, “parental leave” means leave for reason of the birth of a child of the employee, or the placement of a child with an employee in connection with the adoption or foster care of the child by the employee.

**88199.** Governing boards of community college districts may grant leaves of absence to persons employed in nonacademic positions, and at their discretion may pay compensation at the rate the board prescribes, during the absence, to any employee whose absence is caused by accident or illness, whether or not the absence arises out of or in the course of the employment of the employee, or because of quarantine which results from his or her contact with other persons having a contagious disease while performing his or her duties.

**88202.** Any classified employee of a community college district, school district, or county superintendent of schools who has been employed for a period of one calendar year or more whose employment is terminated for reasons other than action initiated by the employer for cause and who subsequently accepts employment with a community college district or county superintendent of schools within one year of termination of his or her former employment, shall have transferred with him or her to the employing community college district or county superintendent of schools the total amount of earned leave of absence for illness or injury to which he or she is entitled under Section 45191 or 88191. This transfer shall be in the same manner as is provided for academic employees.

In any case where an employee was terminated as a result of action initiated by the employer for cause, the transfer may be made if agreed to by the governing board of the community college district or the county superintendent of schools newly employing the employee.

All or any part of the previous service, not separated by a break in service greater than one year as of the last day of paid service, may, if agreed to by the employing entity, be construed to have been served in the employing community college district or county superintendent of schools of employment for seniority purposes, except that the previous service may not be counted, for seniority purposes, when position or personnel reduction is ordered, for any reason, by the board.

No governing board of a community college district shall adopt any policy or rule, written or unwritten, that requires all classified employees, or any individual classification, or group of classifications of employees transferring to its district to waive any part or all benefits which they may be entitled to have transferred in accordance with this section.

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This section shall apply to community college districts that have adopted the merit system in the same manner and effect as if it were a part of Article 3 (commencing with Section 88060) of this chapter.

**Government Code Section**

**12945.6** (a) For purposes of this section, the following definitions apply:

(1) (A) “Assisted reproduction” means a method of achieving a pregnancy through an artificial insemination or an embryo transfer and includes gamete and embryo donation.

(B) “Assisted reproduction” does not include any pregnancy achieved through sexual intercourse.

(2) “Employee” means a person employed by the employer for at least 30 days prior to the commencement of the leave.

(3) “Employer” means either of the following:

(A) A person who employs five or more persons to perform services for a wage or salary.

(B) The state and any political or civil subdivision of the state, including, but not limited to, cities and counties.

(4) “Failed adoption” means the dissolution or breach of an adoption agreement with the birth mother or legal guardian, or an adoption that is not finalized because it is contested by another party. This event applies to a person who would have been a parent of the adoptee if the adoption had been completed.

(5) “Failed surrogacy” means the dissolution or breach of a surrogacy agreement, or a failed embryo transfer to the surrogate. This event applies to a person who would have been a parent of a child born as a result of the surrogacy.

(6) “Miscarriage” means a miscarriage by a person, by the person’s current spouse or domestic partner, or by another individual if the person would have been a parent of a child born as a result of the pregnancy.

(7) “Reproductive loss event” means the day or, for a multiple-day event, the final day of a failed adoption, failed surrogacy, miscarriage, stillbirth, or an unsuccessful assisted reproduction.

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(8) “Reproductive loss leave” means the leave provided by subdivision (b).

(9) “Stillbirth” means a stillbirth resulting from a person’s pregnancy, the pregnancy of a person’s current spouse or domestic partner, or another individual, if the person would have been a parent of a child born as a result of the pregnancy that ended in stillbirth.

(10) “Unsuccessful assisted reproduction” means an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure. This event applies to a person, the person’s current spouse or domestic partner, or another individual, if the person would have been a parent of a child born as a result of the pregnancy.

(b) (1) It shall be an unlawful employment practice for an employer to refuse to grant a request by any employee to take up to five days of reproductive loss leave following a reproductive loss event. If an employee experiences more than one reproductive loss event within a 12-month period, an employer shall not be obligated to grant a total amount of reproductive loss leave time in excess of 20 days within a 12-month period.

(2) The employer shall allow the days an employee takes for reproductive loss leave to be nonconsecutive.

(3) (A) Except as provided in subparagraph (B), reproductive loss leave shall be completed within three months of the event entitling the employee to that leave under paragraph (1).

(B) Notwithstanding subparagraph (A), if, prior to or immediately following a reproductive loss event, an employee is on or chooses to go on leave from work pursuant to Section 12945, 12945.2, or any other leave entitlement under state or federal law, the employee shall complete their reproductive loss leave within three months of the end date of the other leave.

(4) (A) Reproductive loss leave shall be taken pursuant to any existing applicable leave policy of the employer.

(B) If there is no existing applicable leave policy, reproductive loss leave may be unpaid, except that an employee may use vacation, personal leave, accrued and available sick leave, or compensatory time off that is otherwise available to the employee.

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(c) It shall be an unlawful employment practice for an employer to retaliate against an individual, including, but not limited to, refusing to hire, discharging, demoting, fining, suspending, expelling, or discriminating against, an individual because of either of the following:

(1) An individual's exercise of the right to reproductive loss leave.

(2) An individual's giving information or testimony as to their own reproductive loss leave, or another person's reproductive loss leave, in an inquiry or proceeding related to rights guaranteed under this section.

(d) It shall be an unlawful employment practice for an employer to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right provided under this section.

(e) The employer shall maintain the confidentiality of any employee requesting leave under this section. Any information provided to the employer pursuant to this section shall be maintained as confidential and shall not be disclosed except to internal personnel or counsel, as necessary, or as required by law.

(f) An employee's right to reproductive loss leave shall be construed as a separate and distinct right from any right under this part.

**20963.5** On and after January 1, 2020, a school member, a school safety member, or a local member employed by a contracting agency that is a school district, county office of education, or community college district, whose effective date of retirement is within four months of separation from employment with the employer subject to this section that granted the sick leave credit, shall be credited at the member's retirement with 0.004 year of service credit for each unused day of sick leave certified to the board by the employer. The certification shall report only those days of unused sick leave that were accrued by the member during the normal course of the member's employment and shall not include any additional days of sick leave reported for the purpose of increasing the member's retirement benefit. Reports of unused days of sick leave shall be subject to audit and retirement benefits may be adjusted where improper reporting is found. For purposes of this subdivision, sick leave shall include sick leave granted by the employer subject to this section and any sick leave transferred to that employer pursuant to Section 44979, 45202, 87783, or 88202 of the Education Code.

**Labor Code Section**

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**246.5.** (a) 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 or an employee's family member.

(2) For an employee who is a victim or whose family member is a victim, as defined in subdivision (j) of Section 12945.8 of the Government Code, the purposes described in paragraph (3) of subdivision (a), or subdivision (b), of Section 12945.8 of the Government Code.

(3) (A) For an employee who is an agricultural employee, as defined in Section 9110, who works outside and who is entitled to paid sick days under this article, to avoid smoke, heat, or flooding conditions created by a local or state emergency, including, but not limited to, when the employee's worksite is closed due to the smoke, heat, or flooding conditions.

(B) For purposes of this paragraph, there are smoke, heat, or flood conditions created by a local or state emergency if the Governor proclaims a state of emergency pursuant to Section 8625 of the Government Code, or a local emergency is proclaimed pursuant to Section 8630 of the Government Code, due to smoke, heat, or flooding conditions that prevent agricultural employees from working.

(b) An employer shall not require as a condition of using paid sick days that the employee search for or find a replacement worker to cover the days during which the employee uses paid sick days.

(c) (1) An employer 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 this article.

(2) There shall be a rebuttable presumption of unlawful retaliation if an employer denies an employee the right to use accrued sick days, discharges, threatens to discharge, demotes, suspends, or in any manner discriminates against an employee within 30 days of any of the following:

(A) The filing of a complaint by the employee with the Labor Commissioner or alleging a violation of this article.

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(B) The cooperation of an employee with an investigation or prosecution of an alleged violation of this article.

(C) Opposition by the employee to a policy, practice, or act that is prohibited by this article.

(d) Notwithstanding subdivision (a) of Section 245.5, for purposes of this section, “employee” shall include an employee described in paragraph (1) of subdivision (a) of Section 245.5.

A. Definitions

Illness is defined as any deviation from a normal, healthy state which makes it disadvantageous to the Los Angeles Community College District and/or detrimental to the employee to be at work. This definition shall include emergency medical, dental, optical, and prosthetic work.

Illness leave is a paid or unpaid leave granted to an employee for the diagnosis, care, and/or treatment of a health condition for, or preventive care of, the employee or the employee’s family member. Family member includes the employee’s spouse, child, parent, registered domestic partner, parent-in-law, grandparent, grandchild, and siblings(s). Such a leave shall also be granted to an employee who is quarantined because of exposure to contagious disease or who is the victim of crime or abuse for the purposes described in Education Code Section 88199 and Labor Code Section 246.5 (a).

B. Accrual of Illness Leave

1. Upon initial employment in regular status, an employee will be credited, as of the date of appointment, with illness days as follows:
  - a. Employees assigned to a 12-month position shall receive 12 working days of full-pay illness leave and 88 days of half-pay illness leave.
  - b. Employees assigned to other than a 12-month position shall receive 10 working days of full-pay illness leave and 90 days of half-pay illness leave.
2. Thereafter, a regular employee will be credited annually, on the first date of the pay period in which July 1 falls, as follows:
  - a. Employees assigned to a 12-month position shall receive 12 working days of full-pay illness leave and up to 88 days of half-pay illness leave. The number of half-pay illness leave days to be credited shall be the difference between accumulated working days of full-pay illness leave and 100 days. Accrual of half-pay illness days shall cease when the

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accumulated working days of full-pay illness reaches 100 days or more and shall resume when the number of accumulated working days of full-pay illness falls below 100 days.

- b. Employees assigned to other than a 12-month position shall receive 10 working days of full-pay illness leave and up to 90 days of half-pay illness leave. The number of half-pay illness leave days to be credited shall be the difference between accumulated working days of full-pay illness leave and 100 days. Accrual of half-pay illness days shall cease when the accumulated working days of full-pay illness reaches 100 days or more and shall resume when the number of accumulated working days of full-pay illness falls below 100 days.
3. There shall be no limit to the accumulation of full-pay illness leave.
4. An individual who was employed with another school district, community college district, or county superintendent of schools within one year of accepting employment as a regular classified employee with the Los Angeles Community College District shall be credited with the number of days of unused illness or injury leave of absence accrued under Education Code Section 88191 while employed with the other agency provided that they were employed with the former employer for one calendar year or more and their employment with the former employer was not terminated for cause.

The District's Payroll Unit shall obtain verification of the amount of unused illness or injury leave the employee is entitled to bring to this District.

- a. The employee shall be credited, as of the date of appointment, with the verified full-pay illness balance brought from the other agency, in addition to the number of working days of full-pay illness leave authorized in Paragraph B.1., above.
- b. If the total number of working days of full-pay illness leave credited is less than 100 working days, they shall also be credited with a number of working days of half-pay illness leave which will bring the total number of working days credited to 100.

C. Use of Illness Leave

Any regular classified employee who is absent from duty on account of illness, injury, or other qualifying condition shall be allowed illness leave pay under the following conditions:

1. In order to receive compensation while absent on illness leave, the employee must notify their immediate supervisor of their absence within the first two working hours, if possible.
2. A new employee must render services before being entitled to illness leave.

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3. An employee serving an initial probationary period shall not be eligible to be paid for more than six days of full-pay illness leave until the first day of the period after completion of 130 days of paid service in regular assignments. Half-pay illness leave shall not be paid during this time.
4. No half-pay illness leave shall be allowed until after all full-pay illness leave is exhausted.
5. Fractions of hours of an illness leave shall be reported in increments of one-quarter hour.
6. When a regular employee (whose regular assignment is on other than a 12-month basis) is assigned to a substitute or relief assignment outside of their regular assignment basis, the employee shall be allowed to take illness leave with pay during such limited-term assignment in accordance with the limitations set forth in the provisions of this rule.
7. Provisions of this rule apply to absence due to reproductive loss and temporary disability caused by pregnancy or childbirth.
8. An employee shall be allowed to use their paid illness leave for purposes of parental leave for a period of up to 12 workweeks in a 12-month period. Parental leave means leave for the birth of a child of the employee or the placement of a child with an employee in connection with the adoption or foster care of the child by the employee.
9. An employee whose record of illness appears to follow a pattern of habitual use of leave for trivial indispositions or absences so frequent that the efficiency of the service is impaired may be required to present acceptable proof to the supervisor of the reason for absence.
10. An employee shall not be allowed to undertake any gainful employment while absent because of illness, injury, or other qualifying condition. The employee shall certify on the Absence Certification/Request form that they were not gainfully employed during the period covered on the form.

D. Requests for Leave

1. An employee who is absent due to illness, injury, or other qualifying condition shall certify on the prescribed Absence Certification/Request form that the absence was due to illness or injury. Compensation for illness leave shall be paid only when the employee's supervisor certifies that the absence was on account of illness, injury, or other qualifying condition. Nothing shall preclude the employee's supervisor from taking necessary steps to verify the validity of the illness leave, which may include requesting documentation for the illness leave.

When an employee is absent because of illness, injury, or other qualifying condition for more than five consecutive days, the Absence Certification/Request form must be accompanied by an

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attending licensed physician or other recognized practitioner's statement certifying that the absence was due to illness, injury, or other qualifying condition.

If an employee is incapacitated and unable to sign the prescribed form, the Human Resources Division may approve an illness leave and the employee's supervisor may approve the prescribed form in lieu of the employee's certification in order that payment of illness leave benefits may be authorized.

2. When an employee is absent because of illness, injury, or other qualifying condition for more than 20 consecutive days, a request for a formal leave of absence must be submitted by the employee and is subject to the approval of the Human Resources Division. The Leave of Absence Request form must be accompanied by an attending licensed physician or other recognized practitioner's statement certifying that the absence is due to illness or injury. A Leave of Absence Request Form shall be sent by any employee who has been absent because of illness or injury for ten consecutive days by the employing college or division.
3. A permanent employee who has exhausted all paid illness privileges, vacation, and other available paid leave may be granted additional unpaid illness leave, not to exceed a total of 18 months in three six month or lesser increments, upon approval of the Human Resources Division and the employee's division head or college president. Such approval shall be required for each additional six month or lesser extension.

An employee who declines to use available paid vacation and other available paid leave may not be granted additional illness leave under the provision of this paragraph.

An employee shall be required to interrupt an unpaid illness leave granted under the provisions of this paragraph to use all paid leave that may accrue due to the annual renewal of illness balances, including paid vacation time or other paid leave that may become available due to return to paid status. The resulting period in paid status shall not serve to restart or extend the 18-month maximum unpaid illness leave allowed under the provisions of this paragraph.

Eligibility for additional unpaid illness leave under the provisions of this paragraph shall not be granted to an employee who returns to active service for a period of less than six months following a previous period of unpaid illness leave granted under the provisions of this paragraph.

- a. Unless notified to the contrary within 30 days, the employee may properly assume the leave has been granted.
- b. Denial of the requested leave for medical reasons may be a basis for appeal in accordance with Rule 836, APPEALS OF MEDICAL DISQUALIFICATIONS OF CLASSIFIED EMPLOYEES AND ELIGIBLES.

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- c. Denial of the requested leave for other than medical reasons may be a basis for the employee to avail themselves of Rule 893, PROCEDURE FOR THE ADJUSTMENT OF GRIEVANCES OF CLASSIFIED PERSONNEL.

E. Payment of Illness Leave

1. Salary differentials shall be included in computing illness pay for employees who receive such salary differentials.
2. No half-pay illness leave shall be allowed until after all full-pay illness leave is exhausted.
3. A day of paid illness leave for an employee assigned to a position for less than eight hours or 40 hours a week shall consist of the number of hours in their basic daily assignment. Authorization to work additional hours beyond the basic daily assignment shall not increase illness leave benefits. When additional working hours are authorized for longer than one month, the employee's basic daily assignment shall be increased.
4. Salary payment shall be withheld from an employee who has been absent because of illness, injury, or other qualifying condition for more than 20 consecutive days if a formal leave of absence has not been approved by the Human Resources Division.
5. Neither layoff nor leave of absence shall be considered as an interruption of continuous service, but no paid illness leave shall be allowed during layoff or leave of absence except illness leave of absence or leave to accept other employment in the District's classified service.
6. When an employee has exhausted full-pay paid illness leave, they may request using vacation pay in lieu of half-pay paid illness leave. In order to effect this change, the employee shall notify their supervisor and payroll office of the dates to be paid as vacation. The beginning date shall not be earlier than the date on which the request is made and the number of days to be paid as vacation shall not exceed the employee's vacation balance. Upon completion of payment for the designated vacation period, the employee may again be paid for illness leave.

F. Return to Service Following Leave

1. An employee shall notify their supervisor at least one day in advance of their expected return from illness leave in order that any substitute service may be terminated. If a returning employee fails to comply with this provision and in the event that both the regular employee and the substitute report for duty, the latter is entitled to the assignment for the day.
2. Upon return to service from illness leave, an employee shall be placed in a position in their former job classification and, if vacant, to their former position in the class. If no vacancy exists in the

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former class, they shall have the right to exercise bumping rights provided that they do not have the least seniority in that class. If an employee's former class has ceased to exist, the employee may be reassigned or shall be placed on the reemployment lists for the classes in which they had attained regular status.

3. When all paid or unpaid leaves of absence have been exhausted, and the employee is not medically able to assume the duties of their position, the employee shall be placed on a reemployment list for a period of 39 months as if they were being laid off. An employee on a reemployment list shall have the same rights and benefits as an employee laid off for lack of work or lack of funds as provided in Rule 740, LAYOFF AND REEMPLOYMENT.

An employee subject to placement on a reemployment list for medical reasons may request a review of other placement options through the Human Resources Division.

4. An employee returning to duty shall be subject to provisions of Rule 682, HEALTH EVALUATIONS.

G. Termination of Employment

There shall not be a lump-sum payment for any unused accumulated illness leave upon separation from employment. Regular employees who are members of PERS and who retire within four months of separation from the District may be eligible for additional service credit for each unused day of earned illness leave in accordance with PERS policies and regulations.

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H. Industrial Accident Leave

Employees in the classified service who are absent because of illness or injury resulting from industrial accidents or industrial illness qualifying under provisions of Workers' Compensation shall be allowed leave as provided in Rule 804, LEAVES RESULTING FROM INDUSTRIAL ACCIDENT OR INDUSTRIAL ILLNESS.

I. Reproductive Loss Leave

An employee shall be allowed up to 5 days of unpaid reproductive loss leave within 3 months following a reproductive loss event as defined in Government Code 12945.6. Employees who experience more than one reproductive loss are limited to 20 days of reproductive loss leave within a 12-month period. Applicable quotas that are available to the employee, such as vacation, illness, and/or compensatory time off, may be used for Reproductive Loss Leave.

J. Change of Service

An employee of the Los Angeles Community College District who changes assignment from the academic service to a regular position in the classified service shall have transferred any unused paid illness or injury leave benefits previously accrued. Such an employee is not subject to the use restrictions on paid illness leave that apply to employees serving in an initial probationary period. Such employee shall not accrue additional illness leave benefits solely from the change of service.