



LEAVES OF ABSENCE **GENERAL ORDER #9.01**

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Pages: 6

Persons Affected: All personnel

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IACLEA Standards: 3.2.2

Revision History

Replaces SUDPS General Order #9.01 (08/04/06)

PURPOSE

The purpose of the General Order is to provide employees of the Stanford University Department of Public Safety with an awareness of the types of leave granted to them pursuant to federal and state law, by Stanford University and, if applicable, collective bargaining agreements. Other leaves of absences in addition to those discussed in this Order may apply to certain eligible employees.

POLICY

All personnel will be entitled to leave in accordance with applicable provisions of federal and state law, the Stanford University Administrative Guide, collective bargaining agreements and the needs of the Stanford University Department of Public Safety (SUDPS) and when applicable the Santa Clara County Sheriff's Office (SCCSO). Federal or state law, the University Administrative Guide or, if applicable, a collective bargaining agreement may supersede these general orders in the event of a conflict.



PROCEDURE (IACLEA 3.2.2)

Employees may be granted several types of leaves of absence under the provisions of *federal and state law*, the *Stanford University Administrative Guide* and, *if applicable, collective bargaining agreements, all as applicable*. Except as authorized by this Order and *General Order 9.09 Personal Health/Attendance Policy*, employees shall provide appropriate notification to their immediate supervisor (or approved alternative) of intended absences. *Notification should be documented in writing on a SUDPS Leave Request form.*

A. LEAVES OF ABSENCE

1. Military Leave:

- a.** All employees *who are required to perform annual military training duty associated with the National Guard or reserve component of the Armed Forces* must *notify their supervisor and the Business Operations Division (BOD) of the dates on which they will need military leave. The Department may require that leave be scheduled and taken at times which are consistent with its operational needs, unless no other times are permitted by the military.*
- b.** All employees submitting requests for military leave *should do so thirty days prior to the date that the leave will be taken. If the employee receives orders for active duty from his or her military unit less than thirty days prior to the date of such leave, the employee will notify his or her supervisor and the BOD within 24 hours following receipt of such military orders.*
- c.** *In all instances described herein, the employee's request for leave must include a copy of the applicable military order(s).*

2. Vacations/Time off:

- a.** *Bargaining unit employees may make annual vacation selections in accordance with their bargaining unit agreement. Requests for use of vacation time by all other employees should be made through their chain of command.*
- b.** The employee shall submit a *SUDPS Leave Request form* for all scheduled vacation/time off. Whenever possible, the form will be submitted to the employee's supervisor at least fourteen days prior to the starting date of the scheduled vacation.

3. Sick Leave:

- a.** *In compliance with the Stanford University Administrative Guide and G.O. 9.09 Personal Health/Attendance Policy, department employees may be required to produce medical confirmation for the use of sick leave.*



- b. *It is the employee's responsibility to confirm that a "SUDPS Leave Request" form was completed for their sick leave. If the form was not completed, the employee shall submit one no later than the end of the first shift upon return to work. The form must be approved by the appropriate supervisor and Division Commander/Manager and submitted to BOD.*
 - c. *Requests for sick leave for medical appointments that cannot be scheduled on an employee's day off must be submitted and approved by the appropriate supervisor in advance.*
 - d. *Personnel calling in sick shall notify the department in a manner consistent with the procedures outlined in G.O. 9.09 Personal Health/Attendance Policy.*
 - e. *The responsibility for daily reporting of sick leave lies with the employee. Notification to the department must be made as soon as the employee realizes that he or she is too ill to report for work and generally no later than one hour prior to the employee's scheduled reporting time. Employees notifying the department of their absence shall do so by following the procedures outlined in G.O. 9.09 Personal Health/Attendance Policy.*
4. Pregnancy and Disability Leave:

Pregnancy Disability Leave (PDL) provides eligible employees time off for a disability due to pregnancy, childbirth, or related medical condition. Employees should contact BOD to confirm eligibility and current time frames associated with PDL.

It is the responsibility of the employee to communicate with their supervisor and the BOD to insure that the proper work status is recorded for payroll purposes. It is also the employee's responsibility to update their supervisor and the BOD of any change related to their status and to keep them informed of their anticipated return to work date.

- a. *In accordance with state and federal laws, employees who are pregnant shall not be discriminated against in terms of retention, promotion, assignment, or transfer. Every reasonable effort shall be made in accordance with applicable law to allow employees to work during their pregnancies as long as they are able, as determined by their medical practitioner and lastly, to encourage such employees to return to the department upon completion of their maternity/baby bonding and/or PDL.*
- b. *When the employee returns to work following a maternity leave of absence and/or PDL leave in excess of the presumptive period of disability (i.e., presumptive period of disability is defined as follows: for vaginal birth, six weeks post-birth, and for C-section, eight weeks post-birth), the employee shall provide their supervisor and the BOD a medical clearance from the attending/treating physician.*



5. Family Leave:

- a. *Eligible employees are entitled to family leave and medical leave pursuant to the California Family Rights Act (CFRA) and the Family Medical Leave Act (FMLA).*
- b. *Employees should contact BOD to confirm eligibility and the parameters of CFRA and FMLA as it applies to them.*
- c. *Intermittent leave or a reduced work schedule will be granted in accordance with applicable law, such as, for example, when medically necessary.*
- d. Family leave and medical leave may be taken for:
 - 1) The birth of a child of an employee, and to take care of a newborn child;
 - 2) The placement of a child with an employee for adoption or foster care;
 - 3) Care for the employee's spouse, registered domestic partner, child, or parent with a serious health condition;
 - 4) Serious health condition that renders the employee unable to perform the functions of the employee's position.

6. Jury Duty Leave:

- a. *A regular employee summoned to jury duty will receive time off with pay for the periods of absence from scheduled work as required by the court.*
- b. *Employees are required to notify their supervisor and Division Commander/Manager when a jury summons is received and when jury service is completed. Employees must provide verification from the court or jury commissioner of time spent on required jury duty.*
- c. *The same procedures shall be adhered to in completing jury duty questionnaires and requests for service/continuances when an employee resides in a county other than Santa Clara County. Requests for personal/hardship exemptions shall be transmitted to the jury commissioner of that county (within California), by the employee.*
- d. *Employees may serve on an impaneled jury with pay only once during a calendar year.*
- e. *An employee summoned to jury duty, but not selected as a juror, shall not be deemed to have performed jury duty for that day and shall return to work and*



resume their duties. Employees shall notify their immediate supervisor of their status should this occur.

7. Leave Without Pay:

a. *Eligible employees may be placed on personal leave without pay at the discretion of the Director of Public Safety or his/her designee for any of the following reasons:*

- 1) *Illness beyond that covered by sick leave.*
- 2) *Education or training requests that will benefit the development of an employee in connection with their work with the SUDPS.*
- 3) *Other personal reasons which do not cause inconvenience to the SUDPS's operation as determined in the Director of Public Safety's discretions.*
- 4) *Other types of leaves as described in Administrative Guide 2.1.8, Section 2.a Types of Leaves of Absence Without Pay.*

b. *Failing to report for work without approval will be considered leave without pay. A failure to be present at work for three or more consecutive days or scheduled shifts without appropriate notification to the Department, without a legitimate reason (as determined by the Director of Public Safety consistent with applicable policy) for the absence, may subject the employee to possible discipline and may be grounds for termination. It is the employee's responsibility to notify the department of any absence.*

c. *Leaving a duty assignment without prior approval will be considered leave without pay, may subject the employee to possible discipline and may be grounds for termination. (See SUDPS General Order 11.00 Standards of Conduct).*

8. Compulsory Leave/Administrative Leave:

a. *An employee may be removed from duty and placed on compulsory administrative leave in conformance with the Stanford Administrative Guide, the employee's collective bargaining agreements (if applicable), and these General Orders. An employee, who has been formally charged with the commission of a felony, or a misdemeanor involving moral turpitude, may be placed on compulsory leave without pay in conformance with the Stanford Administrative Guide, the employee's collective bargaining agreement (if applicable), and these General Orders.*

b. *When a SUDPS employee is placed on compulsory leave, he or she will make himself or herself available to respond to the Sheriff's Office or SUDPS within a reasonable period of time and will notify their Division Commander/Manager of the telephone number at which he or she can be reached during normal business hours. Deputies, while on compulsory leave, shall not act in the capacity*



of a peace officer in any *manner* without first obtaining specific authorization from the *Director of Public Safety, who may also need to obtain approval from the Sheriff.*

9. Industrial Injury Leave:

- a. An employee is entitled to industrial injury leave when he or she is unable to perform services because of any injury as defined in the Worker's Compensation Act. Such leave is granted as provided by state law, the *Stanford Administrative Guide, the employee's collective bargaining agreement (if applicable),* and these General Orders.
- b. When an SUDPS employee is placed on industrial injury leave, he or she will make himself/herself available to respond to SUDPS within a reasonable period of time and will notify *their Division Commander/Manager* of the telephone number at which he or she can be reached during normal business hours. While on industrial injury leave, *Deputies* shall not act in the capacity of a peace officer in any *manner* without first obtaining specific authorization from the *Director of Public Safety, who may also need to obtain approval from the Sheriff.*

10. Bereavement Leave:

- a. *Eligible employees may receive up to 40-hours of bereavement leave for the necessary period of absence when there is a death of a close family member.*
 - 1) *Close family member is defined as the employee's spouse; registered domestic partner; children of the employee, spouse or registered domestic partner; parents and parents-in-law; parent surrogate; brothers or sisters of the employee; grandparents, grandchildren of the employee; and other dependent family members who lived in the employee's residence.*
 - 2) *Necessary period of absence is defined as the time required to attend the funeral or memorial service and discharge related responsibilities. The period is subject to approval by the Director of Public Safety or his/her designee.*