INDUSTRIAL ACCIDENT AND ILLNESS LEAVE OF ABSENCE

Academic employees who are not members of a collective bargaining unit, and employees who are a part of the classified service but not members of a collective bargaining unit, shall be entitled to an industrial accident or industrial illness leave of absence, not to exceed sixty (60) days in any one fiscal year for the same accident during which the college of the district is required to be in session or when the employee would have otherwise been performing work for the district. Allowable leave shall not be accumulative from year to year (Calif. Ed. Code, Sections 87787, 88192).

An industrial accident or illness leave of absence shall commence on the first day of the employee's absence and shall be reduced by one (1) day for each day of authorized absence. When such a leave overlaps into the subsequent fiscal year, the employee shall be entitled to only the amount of unused leave due to the employee for the same illness or injury (Calif. Ed. Code, Sections 88787, 88192).

Periods of leave of absence shall not be considered to be a break in service of the employee (Calif. Ed. Code, Sections 87787, 88192).

An employee absent from duties because of an industrial accident or illness shall be paid a portion of the salary due for any month in which the absence occurs so that when it is added to the employee's temporary disability indemnity, the total will result in a payment of not more than the employee's full salary. During such a paid leave of absence, an academic employee may, and a classified employee shall, endorse to the district the temporary disability indemnity checks received on account of the industrial accident or illness. The district shall then issue appropriate salary warrants to the employee for payment of the employee's salary. Normal retirement and other authorized contributions shall be deducted (Calif. Ed. Code, Sections 88787, 88192).

Any employee receiving benefits as a result of an industrial accident or an illness leave of absence shall remain within the State of California during the period of injury or illness, unless the Board of Trustees authorizes travel outside the state (Calif. Ed. Code, Sections 88787, 88192).

In the case of classified employees, when all available paid or unpaid leaves of absence have been exhausted, if the employee is not medically released to return to duty, and if the employee is not placed in another position, the employee shall be placed on the re-employment list for a period of thirty-nine (39) months. When available, during the 39 months, the employee shall be employed in a vacant position of the class of the employee's previous assignment over all other available candidates except for a re-employment list.
established because of lack of work or lack of funds, in which case the person shall be listed in accordance with appropriate seniority regulations. An employee who has been placed on the re-employment list and who has been medically released for return to duty but who has failed to accept an appropriate assignment shall be dismissed (Calif. Ed. Code, Section 88192).

*Affected by Academic Employee Master Agreement, Article XXIII

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