

**CARMICHAEL WATER DISTRICT  
POLICY MANUAL**

**POLICY 5000: Authorized Leave**

**5000.10      Unpaid Leave of Absence**

**5000.10.1**      An employee may request and, at their sole discretion, the General Manager may approve unpaid leave between the employee and Carmichael Water District (District).

**5000.10.2**      An unpaid leave of absence may be taken when an employee has exhausted all accrued sick leave, vacation, and any other qualified accrued or available leave.

**5000.10.3**      Once the employee who has been authorized leave of absence without pay has used all available vacation and any other qualified accrued leave time, then the continuation of the approved leave will be without any accrual of pay and/or other benefits available to regular employees of the District.

**5000.10.3.1**      No vacation, holiday, sick leave, or any other type of accrued leave will accrue during an authorized unpaid leave, i.e., during any period an employee is absent from work and not receiving pay from the District.

**5000.10.3.2**      Health Benefits During An Unpaid Leave: Except where provided otherwise by law, an employee on any unpaid leave under this policy may continue participating in any health and welfare benefit plans in which they were enrolled before the first day of the unpaid leave at the employee's own expense at the level and under the condition of coverage as if the employee had continued in employment as per District's contractual agreement with provider.

**5000.10.4**      Due to the District's limited work force, maintenance of job classifications for the term of an authorized unpaid leave of absence cannot be guaranteed unless otherwise required by law. Employees returning from an unpaid leave of absence will be reinstated to the first available job classification for which they are qualified.

**5000.20      Military Leave**

**5000.20.1**      District employees are entitled to military leaves of absence as required by state and federal law. Military leaves shall be without pay or benefits except as required by law or provided in this policy.

**5000.20.2**      An employee shall notify the District as soon as practicable of the employee's pending need for a military leave of absence. Any employee who goes out on a military leave of absence will also be eligible for re-employment to their previous job classification with the District to the extent required under state and federal law.

**5000.20.3**      In addition to any obligation under California's Military and Veterans Code to provide paid leave for active duty military leave, the District will provide up to ten (10) work days of paid leave for verified, scheduled inactive duty "Reserve Duty." Any period of temporary leave of absence for inactive duty "Reserve Duty" that exceeds ten (10) work days shall be unpaid, unless otherwise required by law.

**5000.20.4**      The District will not discriminate against any individual because of military service.

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**5000.20.5** Employees who work more than twenty (20) hours per week and have a spouse in the Armed Forces, National Guard or Reserves who have been deployed during a period of military conflict are eligible for up to ten (10) unpaid days off when their spouse is on leave from (not returning from) military deployment. Employees must request this leave in writing to the General Manager within two (2) business days of receiving official notice that their spouse will be on leave. Employees requesting this leave are required to submit written documentation certifying the spouse will be on leave from deployment.

### **5000.30 Jury Duty Leave**

**5000.30.1** Jury Duty Leave shall apply to all full time regular employees.

**5000.30.2** An employee summoned for jury duty will immediately notify their supervisor.

**5000.30.3** While serving on a jury, the employee will be given a paid leave of absence for the duration of said jury duty. Said paid leave of absence is conditional upon the employee returning to work upon dismissal each day to complete their remaining normal workday. Employees must furnish a copy of the official summons/attendance slip to the District before leave will be granted.

### **5000.40 Bereavement Leave**

**5000.40.1** Bereavement Leave shall apply to all full time regular employees.

**5000.40.2** In the event of a death in the immediate family, an employee may be granted a leave of absence not to exceed five (5) days. Of those five (5) days, the District provides a paid leave of absence not to exceed three (3) days. Certification may be required by the General Manager or designee.

**5000.40.3** If additional leave beyond the three (3) paid leave of absence days is requested for bereavement leave for the death of an immediate family member, the employee must use their sick and/or vacation accrual with approval by the General Manager or designee.

**5000.40.4** Immediate Family: "Immediate family" is defined for bereavement leave as being spouse, registered domestic partner, parents, children, siblings, grandparents, grandchildren, father-in-law, mother-in-law, sister-in-law, brother-in-law, or any other person who is a legal dependent of the employee.

**5000.40.5** In the event of a death to a person outside of the employee's "immediate family" the employee may opt to use their vacation accrual during the approved absence.

### **5000.50 Management Leave**

**5000.50.1** At the discretion of the General Manager, the Engineering Manager and Finance Manager positions may receive up to 80 hours of Management Leave on an annual basis. Management Leave is not accruable or compensable.

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### **5000.60      Family Medical Leave Act (FMLA) / California Family Rights Act (CFRA) Leave**

**5000.60.1**      The District is a covered employer under the federal Family Medical Leave Act of 1993 (FMLA) and the California Family Rights Act of 1993 (CFRA). As a covered employer, the District is required to post notices of employees' FMLA and CFRA rights.

**5000.60.1.2**    Although the District is a covered employer under the FMLA, District employees are not eligible for FMLA leave benefits because no District employee can meet the eligibility requirement of employment at a worksite where the District employs at least fifty (50) employees within seventy-five (75) miles of that worksite.

**5000.60.1.3**    If the number of District employees increases sufficiently so that District employees are eligible for FMLA leaves, the District will provide and administer the leaves as required by law, will run the leaves concurrently with any other leaves for which an employee is entitled for the same reason, and will use the 12 month rolling back method.

**5000.60.2**      District Employees are eligible for CFRA leave benefits which provides eligible employees the right to an unpaid leave of absence after exhausting all of their sick and vacation leaves. The District will 1) provide and administer any CFRA leaves as required by law, 2) administer the CFRA leaves concurrently with any other leaves for which an employee is entitled for the same reason, and 3) use the 12 month rolling back method.

### **5000.70      New Parent Leave Act (NPLA) Leave**

**5000.70.1**      Effective January 1, 2018, a District employee who has more than twelve (12) months of service with the District and has 1,250 hours of service with the District during the previous twelve (12) month period is eligible to take up to twelve (12) weeks of unpaid parental leave to bond with a new child within one (1) year of the child's birth, adoption, or foster care placement.

**5000.70.2**      The employee must notify the District at least thirty (30) days before leave is to begin. If the employee cannot provide thirty (30) days' notice, the District must be informed as soon as is practical. Any leave taken for the birth, adoption, or foster care placement of a child does not have to be taken in one continuous period of time, but will be granted in minimum amounts of two (2) weeks, with the exception that an employee may request a leave of less than two (2) weeks' duration on any two (2) occasions. Any leave taken must be concluded within one (1) year of the birth or placement of the child with the employee.

**5000.70.3**      An employee will be required to substitute accrued vacation for any time period during the leave that is otherwise unpaid. If an employee is receiving PFL benefits, the District and employee can agree to coordinate the use of vacation leave up to the employee's regular salary.

**5000.70.4**      The District will maintain its contribution toward medical insurance at the same level and under the same conditions as if the employee had continued in employment continuously during the duration of the leave to the extent required by law.

**5000.70.5**      Upon return from NPLA leave, an employee will be reinstated to their original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions to the extent required by law.

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**5000.70.6** If the number of District employees increases sufficiently so that District employees are otherwise eligible for FMLA and CFRA leaves, the District will provide and administer such leaves as required by law and will no longer provide NPLA leave as District employees will no longer be eligible for it at that time. Otherwise, the District will administer this leave in compliance with state law and regulations concerning NPLA.

### **5000.80 California Paid Family Leave (PFL)**

**5000.80.1** Employees may be eligible for PFL benefits to care for 1) a seriously ill child, spouse, parent, or registered domestic partner, grandparent, grandchild, sibling, and parent-in-law, and 2) bond with a new child; to bond with a child in connection with the adoption or foster care placement of that child. PFL is administered by the state Employment Development Department (EDD). Employees should contact EDD at [www.edd.ca.gov](http://www.edd.ca.gov) for information and benefit claim forms.

**5000.80.2** Employees may use any remaining accrued vacation leave and accrued sick leave to add to PFL benefits in order to receive a full day's pay at the employee's regular rate of pay while on PFL.

### **5000.90 Pregnancy Disability Leave (PDL)**

**5000.90.1** Employees are eligible for up to four (4) months (2 CCR § 11042) of unpaid leave per pregnancy, as needed, for the period(s) of time an employee is actually disabled because of pregnancy. An employee may use any accrued sick leave and accrued vacation leave during the otherwise unpaid pregnancy disability leave.

**5000.90.2** The District will maintain its contribution toward medical insurance at the same level and under the same conditions as if the employee had continued in employment continuously during the duration of the leave.

**5000.90.3** Upon return from pregnancy disability leave, an employee will be reinstated to their original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions to the extent required by law.

**5000.90.4** The District will administer this leave in compliance with state law and regulations concerning pregnancy disability leave.

### **5000.95 Leave Administration**

**5000.95.1** Drug and Alcohol Testing: Any safety-sensitive employee returning to work after an absence of thirty (30) or more calendar days will be subject to drug and alcohol testing.

**5000.95.2** Leave Program Process: Human Resources will be responsible for administering this policy including maintaining a Leave Program process that is available to be reviewed by all employees.

### **5000.96 Reproductive Leave Loss**

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**5000.96.1** Effective January 1, 2024, Senate Bill 848 (Chapter 724, Statutes 2023) added section 12945.6 to the Government Code. Pursuant to this section, all District employees who have been employed for at least 30 days, are entitled up to a maximum of five days of reproductive loss leave for a reproductive loss event, which includes a failed adoption, failed surrogacy, miscarriage, stillbirth, and unsuccessful assisted reproduction as defined by the law.

**5000.96.2** Leave under this statute is unpaid but an employee may use accrued and available vacation and sick leave. Reproductive loss leave does not need to be taken on consecutive days but must be completed within three months of the date of the event. If prior to or immediately following a reproductive loss event, an employee takes Pregnancy Disability Leave or California Family Rights Act/Family Medical Leave Act leave, or any other leave entitlement under state or federal law, the employee shall complete their reproductive loss leave within three months after the end of their other leave. If an employee experiences more than one reproductive loss event within a 12-month period, reproductive loss leave time is limited to a total of 20 days within a 12-month period.