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## ARTICLE 11 LEAVE OF ABSENCE WITHOUT PAY

### A. Eligibility

An employee absent from work because of an authorized leave without pay shall not be eligible for, nor accrue benefits provided under the terms of this Agreement unless, allowed by specific provisions of this Article. While an employee may be granted more than one (1) leave of absence over the course of their career with the District, an employee may only be granted up to one (1) year of unpaid leave per type of leave, except Peace Corps Leave, without pay in Section E.F. of this Article below. The District may grant an exception to this provision if there are extenuating circumstances.

Employees on any of the leaves without pay in this Article, shall not engage in employment outside the District without prior permission from the District.

### B. Medical Leave Without Pay

Upon application by an employee, medical leave without pay for the purpose of personal illness or injury of an employee or qualifying family member (family member as defined in Article 10, Section G. of this Agreement), shall be granted after sick leave with pay has been exhausted and subject to the following conditions:

1. Such period of leave without pay may be limited to not more than a total of one (1) year during the life of this Agreement, except in the case of employment incurred injury, in which case the period of leave shall be for the entire period of disability resulting from the

injury or shall end upon the resolution of the worker's compensation claim, whichever is earlier.

2. The employee may be required to provide a medical certification from their healthcare provider that the illness or injury of the employee or qualifying family member prevents the employee from returning to duty. **if An the employee who, upon written request,** fails to provide such required certification or medical evidence indicating the employee could return to duty, **but fails to do so upon written request,** may be terminated from their employment.

### C. Leave of Absence **Without Pay**

1. Upon request, an employee may be granted a leave of absence without pay for a period of up to one **(1)** year. Such requests shall be in writing and include the reason for such leave.
2. Employees may utilize their vacation leave, personal leave and compensatory time accruals before beginning a leave of absence without pay. In these instances, the unpaid leave of absence will begin the day after leave accruals are exhausted.
3. In the event that unpaid leave is denied, the District shall give a written explanation as to why it was denied.

#### D. Bereavement Leave Without Pay

Upon request, an employee shall be allowed up to two (2) days of absence in case of the death of a more distant relative or friend not covered under the definition of immediate family member. Such leave shall be without pay and shall be utilized not more than once per fiscal year. Such leave shall not accumulate from year to year.

#### E. State Bereavement Leave

Employees may utilize unpaid Bereavement leave under state leave laws. If an employee utilizes bereavement leave under state leave laws, the paid District benefit will run concurrently with the unpaid state bereavement leave. Bereavement leave under state leave laws may only be taken for qualified family members under the law, and requests must be submitted by the employee to the Benefit and Leaves Department of Human Resources. This benefit is only available when the death of a family member occurs during the employee's work year and must be used within 60 (sixty) days of learning of the family member's passing.

#### F. Peace Corps Leave Without Pay

An employee may be granted a leave of absence without pay for service in the Peace Corps, not to exceed two (2) years, in accordance with Oregon law. The salary status of an employee obtaining such leave, except as provided for in military leave without pay, shall be unchanged upon their return to service to the District.

#### G. Parental Leave Without Pay

1. Employees in the unit shall be granted parental leave without pay for a specific period of time, up to one (1) year and upon written request, for the purposes of childbirth and for care of natural or adopted infant children. The beginning and end of such leave for childbirth shall be determined by the employee and the physician healthcare provider.
2. An employee on parental leave without pay shall be reinstated in a position substantially equivalent to the one (1) position held before taking the leave. The employee returning from parental leave shall not suffer a loss of seniority due to this leave provision.

#### H. Military Leave Without Pay

An employee shall be entitled to a military leave of absence without pay during a period of service with the Armed Forces of the United States in accordance with current laws and regulations.

#### I. Career Development Leave Without Pay

1. Employees with at least one (1) year of service may be granted leave of absence for one (1), or two (2) District semesters, or three (3) trimesters for advanced study as a full-time student or apprentice for the purpose of enhancing job qualifications for their current position or qualifications for another District position.

2. An employee, with District approval, may be granted an unpaid leave of absence for the purpose of a practicum, apprenticeship, or a student teaching assignment related to the pursuit of licensed teaching, school counseling, or other educational degree, or an enhancement of their current job qualifications or qualifications for another type of District position.
3. An employee who is granted a career development leave shall be returned at the step on the salary schedule they had earned prior to the leave. No experience credit for step increase will be given for the time on leave.
4. The scheduling of such leave will be mutually agreed upon between the District and the employee.
5. The District retains the right to limit the number of employees granted such leave.
6. Employees who have completed their initial probationary period shall be eligible to utilize Staff Development funds, per Article 23 of this Agreement.

#### **J. Returns From Unpaid Leaves**

An employee on an approved leave of absence without pay, under this Article, wishing to return from leave early, must get pre-approval from Human Resources. Early returns will be reviewed on a case-by-case basis.