Memorandum of Understanding (MOU) between
San Joaquin Delta Community College District
and
San Joaquin Delta College Teachers Association

The Master Contract for July 1, 2010 to June 30, 2013 between the San Joaquin Delta Community College District and the San Joaquin Delta College Teachers Association is hereby amended in Article IX, Leaves, as follows (underscoring indicates new language):

9.3 Supplemental Sick Leave: In each academic year, if a faculty member has utilized all individual accumulated sick leave and is still absent from duty on account of illness or accident for a period of (5) school months or less the faculty member shall receive 50% of pay for time missed. For accounting purposes, any time used in one day shall be counted as one full day of supplemental sick leave. The five (5) months or less period during which the above leave is calculated includes all other paid sick leave provisions for which the faculty member is eligible. (Education Code Section 87780)

9.4 Voluntary Sick Leave Bank: - A Voluntary Sick Leave Bank will be established

9.4.1 Eligibility: Participation in the Voluntary Sick Leave Bank shall be limited to full-time regular and contract faculty. In order to be eligible, the regular or contract faculty member must have authorized the District’s Human Resources Office in writing to deduct one day of sick leave immediately and an additional day each time the Sick Leave Bank balance falls below one hundred (100) days. Such deductions shall continue until the member notifies the Human Resources Office in writing of his/her withdrawal from participation in the Bank. Participation in the Voluntary Sick Leave Bank shall be voluntary and may be withdrawn at any time without retrieval of contributed leave.

Contributing faculty participating in the Voluntary Sick Leave Bank upon implementation of the Bank are eligible for benefits immediately. Newly hired contributing faculty who join the Sick Leave Bank within thirty days are eligible for benefits immediately. Contributing faculty joining or rejoining the Sick Leave Bank at a subsequent time can only enroll during an annual open enrollment period which will be the same annual open enrollment period used for employee health insurance changes.

All regular sick leave must be exhausted before a member of the Bank is eligible for benefits from the Voluntary Sick Leave Bank.

A Bank member’s ability to draw on the Bank is subject to there being an available balance in the Bank.

9.5 Voluntary Adjunct Sick Leave Bank: A Voluntary Adjunct Sick Leave Bank will be established and maintained by the voluntary contributions of accrued sick leave hours by adjunct faculty. The intent of the voluntary sick leave bank shall be to assist and aid adjunct faculty who experience unusual circumstances that cause a need for sick leave beyond that which they have earned and accrued. The Volunteer Adjunct Sick Leave Bank will be managed by the District’s Human Resources Office.
9.5.1 Eligibility: Participation in the Voluntary Sick Leave Bank shall be limited to adjunct faculty who have received and signed a contract for the semester. In order to be eligible the faculty member must have accrued a minimum of 3 hours sick leave. Eligible members shall authorize the District’s Human Resources Office in writing to deduct 3 hours of sick leave immediately and 3 hours each time the Sick Leave Bank balance falls below 200 hours. Such deductions shall continue until the faculty member notifies the Office of Human Resources in writing of his or her withdrawal from participating in the Bank. Participation in the Bank shall be voluntary and will be continuous. Participation may be withdrawn at any time without retrieval of contributed leave.

Contributing faculty participating in the Bank must join within 15 days of the start of the fall or spring semester.

All hourly sick leave must be exhausted before a member of the Bank is eligible for benefits from the Voluntary Sick Leave Bank.

A Bank member’s ability to draw on the Bank is subject to there being an available balance in the Bank.

Adjunct faculty separating from the District and ineligible to convert sick leave hours to service credit for retirement in CalSTRS or CalPERS may donate their unused hours to the Bank.

9.5.2 In no case will an employee be allowed to draw from the Bank after he or she is eligible for disability payments. An eligible member shall be limited to a maximum of 70 hours per semester.

9.5.3 Physician Certification: In order to utilize the Sick Leave Bank an employee must present to the District’s Human Resources Office a physician’s statement certifying that he or she is unable to perform the function of the job.

For the District: 

Dianna R. Gonzales  
Director of Human Resources  
Date 

Dr. Kathleen Hart  
Acting President/Superintendent  
Date 

For the Association: 

James L. McBride  
Chief Negotiator  
Date 

5/23/12