

AUBURN AREA RECREATION AND PARK DISTRICT MEETING OF THE PROGRAM,
PERSONNEL, POLICY, FEE & LEGAL REVIEW COMMITTEE AGENDA

WEDNESDAY, APRIL 22, 2026, 12:30 PM

CANYON VIEW COMMUNITY CENTER, BOARD ROOM
AUBURN, CA

Materials related to an item on this Agenda submitted to the District after distribution of the agenda packet are available for public inspection by contacting the District Administrator at kmuscott@auburnrec.com or by calling (530) 537-2186 (M-F).

The public may participate in the meeting in-person or through Zoom. The link for this meeting is Apr 22, 2026 12:30 PM Pacific Time (US and Canada) <https://us06web.zoom.us/j/81300109643>. The public can use this link and/or call 1 669 900 6833 Webinar ID: 813 0010 9643 to participate.

People using the Zoom website will be able to see and hear the Committee, and the Committee will be able to hear the public. The Committee will not receive any visual/video from the public. This is done to avoid inappropriate visual content at the meeting.

Questions and comments can be sent via email to the District Administrator no later than one hour before the meeting. These emails will be read aloud at the meeting and responded to accordingly. Emails can be sent during the meeting, and staff will work to ensure that all are read, however the best way to have your comment heard is through the Zoom meeting or the associated phone number.

If you are a person with a disability and need an accommodation to participate in the District's programs, services, activities, and meetings, contact Kahl Muscott at (530) 537-2186 or kmuscott@auburnrec.com at least 48 hours in advance to request an auxiliary aid or accommodation.

1.0 CALL TO ORDER

Ainsleigh _____ Holbrook _____

2.0 ANNOUNCEMENTS, AGENDA REVIEW, CHANGES AND APPROVAL

3.0 PUBLIC COMMENT – This is the time wherein any person may comment on any item not on the agenda within the subject matter jurisdiction of the Committee Chairperson, please state your name and address for the record (optional). There is a time limitation of three minutes.

4.0 BUSINESS

4.1 Approval of Minutes from the March 18, 2026 Program, Personnel, Policy, Fee & Legal Review Committee Meeting (Pages 4-5)

Recommendation: Review and approve minutes.

4.2 Approval of Legal Bills

There are none.

4.3 Proposed Fee Waivers Policy Amendment – Placer High Grad Night (Pages 6-8)

Shall the Auburn Recreation District (ARD) consider amending its policy, criteria and/or the amounts of fees that are waived for fee waivers for the Placer High Grad Night? The ARD Board asked that this item be considered.

4.4 District Personnel Policy proposed amendment – PTO eligibility and usage (Pages 9-14)

Shall the Auburn Area Recreation and Park District (ARD) amend its Personnel Policy and Procedures Manual regarding PTO eligibility and usage?

4.5 Side Letter with Local 39 – PTO Eligibility and Usage (Pages 15-18)

Shall the Auburn Area Recreation and Park District (ARD) agree to a Side Letter with IUOE, Stationary Engineers, Local 39 (Union) regarding eligibility and usage of Personal Time Off (PTO)?

4.6 District Policy proposed amendments – Leave Policies (Pages 19-45)

Shall the Auburn Area Recreation and Park District (ARD) amend its policy regarding leaves?

4.7 Amending ARD’s Refund Policy for Youth Services (Pages 46-49)

Shall the Auburn Area Recreation and Park District (ARD) amend the policy regarding refunds for the Youth Services Department?

4.8 Regional Park Renaming – “North Auburn Nisenan Park” (Pages 50-51)

Shall the Auburn Area Recreation and Park District (ARD) Board of Directors consider renaming Regional Park “North Auburn Nisenan Park”? Director Ainsleigh has requested that this item be considered.

Discussion items:

None.

5.0 ITEMS TO BE CONSIDERED AT FUTURE PROGRAM, PERSONNEL, POLICY & FEE COMMITTEE MEETINGS

None.

6.0 PENDING ITEMS REQUIRING MORE DETAILED RESEARCH

None.

ADJOURNMENT

AUBURN AREA RECREATION AND PARK DISTRICT

This agenda is hereby certified to have been posted as follows:

April 17, 2026
Date

1:00pm
Time

Cathy Wayford
Secretary to the Board

**Auburn Area Recreation and Park District
Minutes of the Program, Personnel, Policy, Fee & Legal
Review Committee Meeting
Wednesday, March 18, 2026 at 12:30 PM
Canyon View Community Center
471 Maidu Drive
Auburn, CA 95603**

1.0 CALL TO ORDER

The meeting of the Program, Personnel, Policy, Fee & Legal Review Committee was called to order at 12:32 PM.

ROLL CALL

Director Ainsleigh and Director Holbrook were present.

2.0 ANNOUNCEMENTS, AGENDA REVIEW, CHANGES AND APPROVAL

The agenda was approved by the Committee as written.

3.0 PUBLIC COMMENT- This is the time wherein any person may comment on Any item not on the agenda within the subject matter jurisdiction of the Committee. After you are recognized by the Committee Chairperson, please state your name and address for the record (optional). There is a time limit of three minutes.

None.

4.0 BUSINESS

4.1 Approval of Minutes from the February, 2026 Program, Personnel, Policy, Fee & Legal Review Committee Meeting

The Policy Committee reviewed and approved the minutes from February 18, 2026, Program, Personnel, Policy, Fee & Legal Review Committee.

4.2 Approval of Legal Bills

There were no Legal Bills.

4.3 Renaming Recreation Field after Carl Swain

The Policy Committee reviewed Renaming Recreation Field after Carl Swain and forwarded this item to the Board of Directors with a positive recommendation.

4.4 First reading – proposed ARD Ordinance #1 Amendment: Use of bikes, e-bikes, scooters, and other wheeled recreation devices in ARD parks

The Policy Committee reviewed First reading – proposed ARD Ordinance #1 Amendment: Use of bikes, e-bikes, scooters, and other wheeled recreation devices in ARD. Director Holbrook would like signs posted with a speed limit. Director Ainsleigh

recommended that the speed limit be 5 miles per hour and that only Class 1 bikes be allowed.

4.5 Project Contingencies

The Policy Committee reviewed the Project Contingencies and forwarded this item to the Board of Directors with a positive recommendation to adopt the new contingency amounts.

Discussion items:

None.

5.0 ITEMS TO BE CONSIDERED AT FUTURE PROGRAM, PERSONNEL, POLICY, FEE & LEGAL REVIEW COMMITTEE MEETINGS

None.

6.0 ITEMS PENDING ITEMS REQUIRING MORE DETAILED RESEARCH

None.

ADJOURNED

As there was no further business, the meeting was adjourned at 1:04 PM.

Cathy Waford
Board Secretary

May 9, 2026
Date

4.3 Cover sheet – Proposed Fee Waivers Policy Amendment – Placer High Grad Night

Auburn Area Recreation and Park District Policy Committee April, 2026

The Issue

Shall the Auburn Recreation District (ARD) consider amending its policy, criteria and/or the amounts of fees that are waived for fee waivers for the Placer High Grad Night? The ARD Board asked that this item be considered.

Background

ARD hosts the Placer High Grad Night every year at Recreation Park. The fee waiver for this use usually exceeds the dollar amount that can be waived by staff, per policy.

The ARD policy on Fee Waivers currently states the following:

XXIX. Policy & Procedures for Fee Waivers

Fee waivers may be granted to 501 c3 non-profit organizations and ARD co-sponsored events for once per year, annual events or rentals. The following rules will apply for Fee Waivers:

- A. A 30% fee, based on the current “A/B” rate, will be charged for all fee waivers.
- B. A 50% fee, based on the current “A/B” rate, will be applied to all groups that charge admission or do not meet at least one of the following criteria:
 - 1. The non-profit charity/agency must provide a service that complements or enhances services provided by ARD.
 - 2. There is an identifiable secondary benefit to ARD.
 - 3. The charity/agency provides a service that ARD could provide but chooses not to.
- C. ARD staff can approve fee waivers up to a dollar amount of \$2,000. Fee waivers over this amount will be sent to the Finance Committee and finally to the Consent Calendar.
- D. Fee waiver requests not in accordance with this policy can be appealed to the Board of Directors.
- E. The person or organization making the fee waiver request should be responsible for the following:

1. Paying applicable custodial, set up/take down fee.
2. Paying the alcohol fee, if applicable.
Special Events – paying the current rate per hour/person for staffing the event (one maintenance worker per 500 attendees).
3. Special Events – events over 250 attendees require a dumpster.
4. Special Events – events with 400 + attendees will require one portable toilet. Add 1 portable toilet for every 200 additional attendees.
5. Special Events – in most cases the person/organization requesting the fee waiver will take care of trash, bathrooms, etc.

Other related policies

ARD has a policy regarding charitable donations:

- ARD District Policy, Section XIII

C. Policy on Charitable Donations from ARD to Outside Organizations

ARD may, from time to time, consider making donations to charitable entities or outside agencies. These donations must fall within ARD's specifically enumerated powers (Parks and Recreation) and must meet one of the following three criteria:

1. The charity/agency must provide a service that complements or enhances services provided by ARD.
2. There is an identifiable secondary benefit to ARD.
3. The charity/agency provides a service that ARD could provide but chooses not to.

Should a donation request meet one of the criteria listed above, staff will forward the request to the ARD Policy Committee for consideration and recommendation. If the Policy Committee recommends approval of the donation request, it will be sent to the ARD Board of Directors for approval as a consent calendar item.

A possible amendment to the policy would read as follows:

- B. A 50% fee, based on the current "A/B" rate, will be applied to all groups that charge admission or do not meet at least one of the following criteria:
 1. The non-profit charity/agency must provide a service that complements or enhances services provided by ARD.
 2. There is an identifiable secondary benefit to ARD.
 3. The charity/agency provides a service that ARD could provide but chooses not to.
- C. Placer High Safe and Sober Grad Night will pay 20% of the appropriate fees (not to include staffing or Custodial Fees, which must be paid in full).

- D. ARD staff can approve fee waivers up to a dollar amount of \$2,000. Fee waivers over this amount will be sent to the Finance Committee and finally to the Consent Calendar.

(appropriate re-lettering to follow)

This amendment to the policy would match the amount that is typically waived by the ARD Board after appeal from the PHS Grad Night Committee.

Recommendation for the Policy Committee

Review and send a recommendation to the Board of Directors

Fiscal Impact

The proposed amendment should have no impact, as the proposed waiver is what is normally received after appeal by the PHS Grad Night Committee.

Attachments

None

4.4 Cover sheet – District Personnel Policy proposed amendment – PTO eligibility and usage

Auburn Recreation District Policy Committee meeting April, 2026

The Issue

Shall the Auburn Area Recreation and Park District (ARD) amend its Personnel Policy and Procedures Manual regarding PTO eligibility and usage?

Background

The paid sick leave law, titled the “Healthy Workplaces, Healthy Families Act” (HWHFA), mandates that California employers provide paid sick days to all employees who have been employed for 30 days or longer. (Labor Code sec. 245 et seq.) The HWHFA specifies minimum requirements for the amount of sick leave provided, and the conditions under which it may be used. Employers may comply with the HWHFA by offering Paid Time Off (PTO), which combines time off traditionally offered for vacation and sick leave, as long as the employer’s PTO program complies with the minimum requirements of the HWHFA. (Labor Code sec. 246(f).)

ARD’s existing language regarding the use of PTO for unplanned absences (i.e. sick days for staff or family; victims of qualifying violence) is problematic under the Division of Labor Standards Enforcement’s (DLSE’s) interpretation of the HWHFA. The law prohibits employers from denying paid sick leave, and from retaliating against employees for using sick leave, and the DLSE has taken the position that the law does not allow employers to have a blanket rule requiring a doctor’s note to substantiate the use of sick leave.

As such, ARD’s attorney has made proposed changes to ARD Personnel Policy, Appendix A, that meets the requirements of the HWHFA. Those changes are attached.

Recommendation for the Policy Committee

Review and send a positive recommendation to the Board of Directors to amend, as proposed, Personnel Policy and Procedures Manual regarding PTO eligibility and usage. Recommend sending this item to the Consent Calendar.

Fiscal Impact

N/A

Attachments

Proposed changes to the ARD Personnel Policies and Procedures Manual

APPENDIX A

A. Personal Time Leave

Personal Time Leave is leave which may be used for either illness or vacation and shall be calculated as follows:

1. **0 – 90 days of employment:** no Personal Time Leave may be taken.
2. **Date of Hire to end of Second (2nd) year:**
Non-Exempt Employee - .0673/hr. or 140 hours/year, with a cap of 452 hours.
Exempt Employee – 7.23 hours/pay period or 188 hours/year, with a cap of 452 hours.
3. **Beginning of third (3rd) year to end of fifth (5th) year:**
Non-Exempt Employee - .0885/hr. or 184 hours/year, with a cap of 496 hours.
Exempt Employee – 8.92 hours/pay period or 232 hours/year, with a cap of 496 hours.
4. **Beginning of sixth (6th) year to end of tenth (10th) year:**
Non-Exempt Employee - .1077/hr. or 224 hours/year, with a cap of 536 hours.
Exempt Employee – 10.46 hours/pay period or 272 hours/year, with a cap of 536 hours.
5. **Beginning of eleventh (11th) year and forward:**
Non-Exempt Employee - .1269/hr. or 264 hours/year, with a cap of 576 hours.
Exempt Employee – 12.0 hours/pay period or 312 hours/year, with a cap of 576 hours.
6. **Beginning of the Sixteenth (16th) year and forward:**
Non-Exempt Employee - .1462/hr. or 304 hours/year with a cap of 616 hours.
Exempt Employee – 13.54 hours/pay period or 352 hours/year with a cap of 616 hours.

Employees hired after June 30, 2014

1. **0 – 90 days of employment:** no Personal Time Leave may be taken.
2. **Date of Hire to end of Second (2nd) year:**
Non-Exempt Employee - .0514 hr. or 107 hours/year, with a cap of 339 hours.
Exempt Employee – 5.5 hours pay period or 143 hours/year, with a cap of 339 hours.
3. **Beginning of third (3rd) year to end of fifth (5th) year:**
Non-Exempt Employee - .0673/hr. or 140 hours/year, with a cap of 372 hours.
Exempt Employee – 6.77 hours pay period or 176 hours/year, with a cap of 372 hours.
4. **Beginning of sixth (6th) year to end of tenth (10th) year:**
Non-Exempt Employee - .0817/hr. or 170 hours/year, with a cap of 402 hours.
Exempt Employee – 7.92 hours/pay period or 206 hours/year, with a cap of 402 hours.
5. **Beginning of eleventh (11th) year and forward:**
Non-Exempt Employee - .0962/hr. or 200 hours/year, with a cap of 432 hours.
Exempt Employee – 9.08 hours/pay period or 236 hours/year, with a cap of 432 hours.
6. **Beginning of the Sixteenth (16th) year and forward:**
Non-Exempt Employee - .1106/hr. or 230 hours/year with a cap of 462 hours.
Exempt Employee – 10.23 hours/pay period or 266 hours/year with a cap of 462 hours.

Accrual depends upon employment status and years of active service. Active service commences with an employee's first day of work and continues thereafter unless broken by an absence without pay, a leave of absence, or termination of employment. Part-time employees accrue Personal Time Leave on a pro rata basis. Employees on unpaid leave and seasonal or temporary employees do not accrue Personal Time Leave. An employee may not use paid time off before its accrual.

Personal Time Leave accrual is capped. When an employee accrues Personal Time Leave in excess of 320 hours (240 hours if hired after June 30, 2014) beyond the number of hours which that employee can earn during one year, the employee shall cease accruing Personal Time Leave until he or she has used sufficient time to reduce it to the cap. For example, if a seventh (7th) year employee ends the year with 536 hours, he/she will not accrue any additional Personal Time Leave until he/she has used some hours. If during the first month the employee uses 80 hours, he/she shall then begin accruing hours until he/she is once again at 536 hours. The District does not grant retroactive compensation for any period of time during which employee was unable to accrue Personal Time Leave because his or her Personal Time Leave had reached capacity.

Accrual depends upon employment status and years of active service. Active service commences with an employee's first day of work and continues thereafter unless broken by an absence without pay, a leave of absence, or termination of employment. Part-time employees accrue Personal Time Leave on a pro rata basis. Employees on unpaid leave and seasonal or temporary employees do not accrue Personal Time Leave. An employee may not use paid time off before its accrual.

Personal Time Leave may be taken any time after 90 days of employment, whenever work schedules permit. An employee wishing to use Personal Time Leave should request such time at least two (2) weeks in advance from his or her department manager. Exempt employee Personal Time Leave shall only be used when an exempt employee is absent from work for more than 4 hours per day. All Personal Time Leave must be approved by the department manager and/or the District Administrator. Due to the seasonal operational requirements of the District, Personal Time Leave may not be used by more than one departmental employee at a time unless approved by the department manager. Unless agreed and voted upon by a department, the following will apply: when two or more employees on the same shift request the same personal leave time and approval cannot be given to all employees requesting it, employees shall be granted their preferred Personal Time Leave on a first-come, first serve basis. In order to give all employees the opportunity to take Personal Time Leave in preferred seasons, seniority "bumping" is allowed one time per year, per employee. The District Administrator or designee shall make final determinations and must approve employee Personal Time Leave schedules in advance.

Personal Time Leave ~~may be used for unplanned absences as sick time, is subject to~~ the following ~~reasons~~:

1. ~~For diagnosis, care, or treatment of an existing health condition of, or preventive care for, the employee or the employee's family member; or The District, through the District Administrator, reserves the right to require medical evidence of illness and/or medical certification of fitness for duty to return to work whenever an employee misses work due to an illness, injury or disability. The District may withhold Personal Time Leave if it suspects that Personal Time Leave has been misused.~~
2. ~~Personal Time Leave used for illness, injury, or disability that results in an absence of more than three (3) consecutive days may require that the employee bring a doctor's note to excuse such absence as well as release the employee for full duty. For any employee who is a victim or whose family member is a victim of a qualifying act of violence;~~

- a. To appear in court to comply with a subpoena, or other court order as a witness in a judicial proceeding;
 - b. To obtain or attempt to obtain any relief for the family member, including but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the family member of the victim;
 - c. To seek, obtain, or assist a family member to seek or obtain medical attention for or to recover from injuries caused by a qualifying act of violence;
 - d. To seek, obtain, or assist a family member to seek or obtain services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency as a result of a qualifying act of violence;
 - e. To seek, obtain, or assist a family member to seek or obtain psychological counseling or mental health services related to an experience of a qualifying act of violence;
 - f. To participate in safety planning or take other actions to increase safety from future qualifying acts of violence;
 - g. To relocate or engage in the process of securing a new residence due to the qualifying act of violence, including but not limited to, securing temporary or permanent housing or enrolling children in a new school or childcare;
 - h. To provide care to a family member who is recovering from injuries caused by a qualifying act of violence;
 - i. To seek, obtain, or assist a family member to seek or obtain civil or criminal legal services in relation to the qualifying act of violence;
 - j. To prepare for, participate in, or attend any civil, administrative, or criminal legal proceeding related to the qualifying act of violence; or
 - k. To seek, obtain, or provide childcare or care to a care-dependent adult if the childcare or care is necessary to ensure the safety of the child or dependent adult as a result of the qualifying act of violence.
3. The District will not tolerate abuse or misuse of the unplanned Personal Time Leave privilege.
4. Employees who are absent for three (3) or more consecutive working days of unplanned Personal Leave Time because of their own health condition may be required to provide a medical certification of their fitness to return to duty.

For purposes of this policy, family member means a child (including biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis, all regardless of age or dependency status); spouse; registered domestic partner; parent (including biological, adoptive, or foster parent, stepparent, or legal guardian of the employee or the employee's spouse or registered domestic partner or a person who stood in loco parentis when the employee was a minor child); grandparent; grandchild; sibling; or a designated person. Employees are limited to selecting one (1) designated person per 12-month period for use of Personal Leave Time on an unplanned basis.

For purposes of this policy, "qualifying act of violence" means any of the following, regardless of whether anyone is arrested for, prosecuted for, or convicted of committing any crime:

- Domestic violence
- Sexual assault
- Stalking
- Acts, conduct, or a pattern of conduct involving injury or death
- Acts, conduct, or a pattern of conduct involving a firearm (gun) or other dangerous weapon
- Acts, conduct, or a pattern of conduct involving threats of injury or death It does not matter if anyone has been arrested for, prosecuted for, or convicted of the qualifying act of violence.

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An employee who is absent for an unplanned reason permitted under this policy must give advance notice if the need is foreseeable. If the need is unforeseeable, the employee need only give notice as soon as practical, as may occur in the case of unanticipated illness or a medical emergency.

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B. Medical Health Insurance Benefits

Each employee should consult the applicable Insurance Provider information packet for more detailed information concerning eligibility, co-payments, other charges, and benefits. Employees are required to meet all co-payment requirements and regulations of the Insurance Provider.

The District provides a comprehensive medical insurance plan for eligible employees and their dependents. In the event of an increase in medical insurance premium rates, all employees may be required to contribute to the cost of increased premiums to retain coverage. Details about medical insurance coverage are available in a separate publication distributed by the Administrative Services Manager.

4.5 Cover sheet – Side Letter with Local 39 – PTO Eligibility and Usage

Auburn Area Recreation and Park District Policy Committee April, 2026

The Issue

Shall the Auburn Area Recreation and Park District (ARD) agree to a Side Letter with IUOE, Stationary Engineers, Local 39 (Union) regarding eligibility and usage of Personal Time Off (PTO)?

Background

ARD and the Union currently have an MOU covering the term of April 1, 2025 through March 31, 2028. That MOU states that, in part, that represented employees are eligible to take PTO (combination of sick and vacation time) any time after six months of employment.

ARD Personnel Policy, covering all non-represented employees, states that an employee is eligible to take PTO any time after 90 days.

Recently, an ARD employee experienced a major complication in his life (a tree fell through his house) that did not qualify for any other leaves. This employee has worked for 90 days, but has not met the six-month threshold.

After review between ARD and the Union, it was recommended that ARD Policy and the Union MOU should have the same language when it comes to this specific policy.

The proposed change was reviewed by ARD's attorney, who also pointed out that ARD and the Union MOU also need to make changes regarding PTO usage for unplanned absences (i.e. sick days for the employee or family; victims of qualifying violence). These changes are required per the "Healthy Workplaces, Healthy Families Act" (HWHFA). As such, the Union has drafted a Side Letter Agreement that would alter the MOU, changing the PTO eligibility usage to match ARD's.

Recommendation for the Policy Committee

Send a positive recommendation to the Board to review and approve the Side Letter with IUOE, Stationary Engineers, Local 39 (Union) regarding eligibility and usage for Personal Time Off (PTO).

Fiscal Impact

None. ARD employees begin accruing PTO on day one. Eligibility to use PTO does not alter this deferred compensation expense.

Attachments

Side Letter between the ARD and the Union

**SIDE LETTER AGREEMENT
BETWEEN
AUBURN AREA RECREATION AND PARK DISTRICT
AND
IUOE, STATIONARY ENGINEERS, LOCAL 39**

This Side Letter Agreement is entered into between the Auburn Area Recreation and Park District (“District”) and IUOE, Stationary Engineers, Local 39 (“Union”) to amend the current Memorandum of Understanding (MOU) covering the term of April 1, 2025 through March 31, 2028, specifically Section 7.3.2 – Personal Time Off (PTO).

The purpose of this Side Letter is to align the MOU with the District’s Personnel Policy regarding when employees are eligible to use accrued PTO following the start of employment.

The Parties have met and conferred in good faith concerning the terms and conditions of this Side Letter Agreement and its implementation, and mutually agree that the provisions herein shall become effective retroactive to April 1, 2025, the start date of the current MOU.

Section 7.3.2, under the subsection titled “**Requesting PTO,**” shall be amended to read as follows, with all other provisions of Section 7.3.2 to remain unchanged and in full force and effect:

Requesting PTO:

PTO may be taken any time after ~~six months~~ninety (90) days of employment, whenever work schedules permit. An employee wishing to use PTO must request such time at least two (2) weeks in advance from his or her department manager. All PTO must be approved by the department manager and/or the District Administrator. Due to the seasonal operational requirements of the District, PTO may not be used by more than one departmental employee at a time unless approved by the department manager and the District Administrator. Unless agreed and voted upon by a department, the following will apply: when two or more employees on the same shift request the same PTO and approval cannot be given to all employees requesting it, employees shall be granted their preferred Personal Time Leave on a first-come, first serve basis. In order to give all employees, the opportunity to take Personal Time Leave in preferred seasons, seniority “bumping” is allowed one time per year, per employee. The District Administrator or designee shall make final determinations and must approve employee Personal Time Leave schedules in advance.

Personal Time Off Used as Sick Time:

PTO used for illness, injury, ~~or disability,~~ and other purposes protected by applicable California or federal leave laws is subject to the following rules:

1. The District, through the District Administrator, reserves the right to require ~~medical evidence of illness and/or~~ medical evidence of fitness for duty to return to work whenever an

employee misses work due to an illness, injury, or disability for more than three (3) consecutive work days. The District may withhold investigate suspected misuse of PTO if it suspects misuse and take appropriate corrective action if misuse is found.

~~2. Personal Time Leave used for illness, injury, or disability that results in an absence of more than three (3) consecutive days may require that the employee bring a doctor's note to excuse such absence as well as release the employee for full duty.~~

3-2. The District will not tolerate abuse or misuse of the PTO privilege.

Except as specifically modified by this Side Letter, all other provisions of the MOU shall remain unchanged and in full force and effect.

This Side Letter shall be attached to and incorporated into the current Memorandum of Understanding and shall remain in effect unless modified by mutual agreement of the parties.

Authorized and Approved by:

IUOE, STATIONARY ENGINEERS, LOCAL 39

By: _____
Tim Eggen, Business Manager

Date: _____


By: _____
Brandy Johnson, Director of Public Employees

Date: _____

By:  _____
Jeremy Burch, Business Representative

Date: 4/15/2026

AUBURN AREA RECREATION AND PARK DISTRICT

By:  _____
Kahl Muscott, District Administrator

Date: 4/15/26

By: _____
Michael G. Lynch, Chairperson, Board of Directors

Date: _____

4.6 Cover sheet – District Policy proposed amendments – Leave Policies

Auburn Recreation District Policy Committee meeting April, 2025

The Issue

Shall the Auburn Area Recreation and Park District (ARD) amend its policies regarding leaves?

Background

ARD has policies regarding the different leaves that are afforded to ARD employees, either through State law or from policies adopted by the Board of Directors. Recently, ARD attorney Patrick Sutton reviewed all of ARD's policies regarding leaves. Patrick made quite a few changes to ARD's leave policies, either adding, removing or both with the various sections of the ARD Personnel Policy Manual.

A Track Change version of those leaves is attached. A "clean" version of the changes is available for review (it was not included in the committee/board agendas in an effort to save paper).

Recommendation for the Policy Committee

Review and send a positive recommendation to the Board of Directors to adopt and approve the amended leave policies, as written.

Fiscal Impact

Patrick Sutton is the attorney provided pro-bono through CAPRI

Attachments

Proposed amendments to ARD leave policies

1.1. **Leaves - General**

A. Eligibility for Leaves

All full-time and regular part-time employees who work at least an average of twenty (20) hours per week may be entitled to leaves. For part-time employees of twenty (20) or more hours, the amount of leave shall be proportional to the number of hours they work is to full-time.

B.A. Personal Time Leave: See Appendix A

B. Bereavement Leave

Bereavement absences in the event of the death of an employee's immediate family member shall be limited to not more than five (5) days ~~during each twelve (12) month period, per family member.~~ The District shall compensate the employee for up to four (4) days of Bereavement Pay, for days of absence when the employee would normally be scheduled to work. The employee's immediate family is defined to include: grandchild, grandparent, sibling, spouse, domestic partner, child, domestic partner's child, parent or spouse's parent. Bereavement leave will not be charged to an employee's Personal Time Leave. An employee requiring more than four (4) days of bereavement leave may use Personal Time Leave or Paid Time Off (as appropriate) for the excess time. To be eligible for Bereavement Leave, an employee must have been employed with the district at least 30 days before taking a leave. Part-time employees that average less than 20 hours per week are not eligible for paid Bereavement Leave but may still take up to five (5) days of leave for bereavement under this policy, pro rated according to the number of hours they are regularly scheduled to work. Bereavement Leave may be used for attending funeral services, making related arrangements, or travel to and from the location of services. This leave does not need to be taken consecutively and may be used within three (3) months of the family member's death. ~~If additional bereavement time is required beyond the four (4) days, such time, if approved, shall be charged to the employee's PTO balance, in accordance with California AB 1949.~~

C. Reproductive Loss Leave

An employee who has been employed by the District for at least 30 days may take up to five days of leave following a reproductive loss event. For purposes of this policy, a reproductive loss event includes a failed adoption, a failed surrogacy, a miscarriage, a stillbirth, or an unsuccessful assisted reproduction. Reproductive loss leave is available to any person who would have been a parent but for the reproductive loss event.

Reproductive loss leave is unpaid, however, employees may use any available accrued Personal Leave Time or Paid Time Off if so desired. Reproductive loss leave does not need to be taken on consecutive days. Reproductive loss leave generally must be taken within

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three months of the reproductive loss event, however, if the employee is on a different legally protected leave of absence (i.e., CFRA, FMLA, or PDL), the leave must be taken within three months of the end of that leave. Reproductive loss leave does not run concurrent with CFRA, FMLA, or PDL. If an employee experiences multiple reproductive loss events within a 12-month period, reproductive loss leave may be limited to 20 days.

ADD REPRODUCTIVE LOSS LEAVE

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D. Personal Days

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Upon successful completion of the probationary period (1 year), full-time employees receive one (1) personal day, beginning after one full year of employment. Personal days may be used on the date of the employee's choice. One personal day is earned each year. [ME: EE's receive/accrete one personal day per year, beginning after one full year of employment.]

Personal Days may not be accrued. Use of the Personal Day must be scheduled with their Supervisor at least one (1) week in advance.

Commented [P55]: The California Labor Commissioner takes the position that a "personal day" like this must be treated as vacation - it may not be forfeited if not used, and it must be paid out upon separation.

E. Unpaid Leaves of Absence

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The District may grant leaves of absence of up to six (6) months to employees in certain circumstances. A request for an unpaid Leave of Absence should be made in writing as far in advance as possible. During such a leave, employees should keep in touch with their supervisor, and give prompt notice of any change in their anticipated return date. If the leave expires and the employee fails to return to work without contacting his/her supervisor, the District will assume that the employee has abandoned his/her job. Under most circumstances, upon return from a leave of absence, the employee will resume all aspects of his/her employment status that existed prior to the start of the leave.

During an unpaid Leave of Absence, the District will not continue to pay premiums for health, life or dental insurance coverage, except where required by law. However, eligible employees may self-pay premiums under the provisions of COBRA. The Administrative Services Manager can provide additional information.

F. Family/Medical Leave

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If eligible (see subdivision 5.3 (J)(2) [below] for eligibility requirements) for leave under the provisions of the Federal Family and Medical Leave Act (FMLA) or the State of California Family Rights Acts (CFRA), such leave will be counted as Family/Medical Leave and charged to the employee's entitlement to twelve (12) workweeks of Family/Medical Leave in a 12-month period. Benefits shall be continued during the Family/Medical Leave and salary will be paid for such time as the employee takes concurrent Personal Leave. If Personal Time Leave/Paid Time off is available, it may must be used concurrently with Family/Medical Leave according to the terms of the policy.

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G. Workers' Compensation Leave

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Leave for a work-related disability will be provided while an employee is receiving temporary disability benefits and until an employee is released for either full or partial duty, is determined to be permanently disabled and unable to return to work, or resigns or retires from the District. The following also apply during workers' compensation leave:

1. The employee will remain in paid status while using appropriate accrued Personal Leave Time/Paid Time Off to satisfy any applicable waiting period and/or to supplement workers' compensation benefits to maintain the equivalent of full salary. The employee will be in unpaid status after exhaustion of applicable accrued leave balances, or if the employee elects not to use accrued leave.

2. The District will designate leaves taken for work-related disability as FMLA and CFRA covered leave, as applicable for eligible employees.

3. During the period of leave covered by the FMLA and CFRA, the District will continue the employer contribution for employee health care coverage as required by FMLA and CFRA. See FMLA/CFRA policy below.

4. Employees are expected to communicate with their supervisor regarding their expected return date from leave, and to notify their supervisor if they will return sooner than the planned ending date of their leave.

When an employee is on leave due to a workers' compensation injury, the leave also qualifies as a covered leave of absence under the Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA), as the absence is for the employee's own serious health condition.

During an unpaid Workers' Compensation Leave of Absence, the District will continue to pay the employer portion of premiums for health, life, and/or dental insurance coverage, depending on the coverage in which the employee is currently enrolled. Employees remain responsible for their share of the premiums, which must be paid in one of the following ways:

- Use of accrued paid time off (PTO), if available;
- Direct payment to the District while on leave; or
- Repayment through an approved payment plan upon return to active employment.

Once the employee has exhausted their twelve (12) workweeks of FMLA/CFRA entitlement within the applicable twelve-month period, the District will no longer pay the employer portion of premiums for health, life, and/or dental insurance coverage. At that time, the employee will be responsible for their own insurance coverage. The employee will receive a COBRA notice outlining their right to continue health coverage under COBRA.

An employee who learns that their anticipated return to work date will be earlier or later than originally approved shall immediately notify their supervisor. This notification assists the District in planning for the employee's absence.

An employee shall not return to duty prior to the expiration of an approved leave of absence without written permission from the District Administrator.

The employee is required to maintain communication with the District regarding any changes to an approved leave. If the employee has exhausted the twelve (12) workweeks of FMLA/CFRA leave and fails to communicate with the District regarding their status, the absence shall be considered job abandonment and the employee will be subject to termination.

H. Leaves—General

Any employee taking personal, medical (including FMLA, CFRA, PDL), or leave of absence may use Personal Time Leave concurrently with the leave.

I.H. Pregnancy Disability Leave

Any employee affected by pregnancy, childbirth, or related medical conditions will be treated like any other disability, and is eligible to transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties, if such a transfer is medically advisable and can be reasonably accommodated. Employees disabled by qualifying conditions may also be entitled to other reasonable accommodations where doing so is medically necessary. In addition, if it is medically advisable for employees to take intermittent leave or work a reduced schedule, the District may require them to transfer temporarily to an alternative position with equivalent pay and benefits that can better accommodate recurring periods of leave. Employees on leave will be eligible to apply for temporary disability benefits in the same amount and degree manner as any other employee on disability leave.

Pregnancy Disability Leave (PDL) is for any period(s) of actual disability caused by pregnancy, childbirth, or related medical conditions, for up to a total of four (4) months per pregnancy. For purposes of this policy, "four months" means time off for the number of days the employee would normally work within the four (4) calendar months (one-third of a year or 17 1/3 weeks), following the commencement date of taking PDL. For a full-time employee who works 40 hours per week, "four months" means 693 hours of leave entitlement, based on 40 hours per week times 17 1/3 weeks. Employees who work a different number of hours will have their PDL calculated on a pro-rata basis.

Any female employee planning to take pregnancy disability leave should advise the personnel department as early as possible. The individual should make an appointment with the Administrative Services Manager to discuss the following:

1. Employees who need to take pregnancy disability leave must inform the District when a leave is expected to begin and how long it will likely last. If the need for a leave or transfer is foreseeable, employees should attempt

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to provide notification at least thirty (30) days before the pregnancy disability leave or transfer is to begin. Employees must consult with the Administrative Services Manager regarding the scheduling of any planned medical treatment or supervision in order to minimize disruption to the operations of the District. Any such scheduling is subject to the approval of the employee's health care provider;

2. If thirty (30) days' advance notice is not possible, notice must be given as soon as practicable;

~~3. Upon the request of an employee and recommendation of the employee's health care provider, the employee's work assignment may be changed if necessary to protect the health and safety of the employee and her child;~~

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~~4. Requests for transfers of job duties will be reasonably accommodated if the job and security rights of others are not breached;~~

- ~~5. Temporary transfers due to health considerations will be granted when possible. However, the transferred employee will receive the pay that accompanies the job, as is the case with any other temporary transfer due to temporary health reasons;~~

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36. Pregnancy leave PDL usually begins when ordered by the employee's health care provider. The employee must provide the District with a certification from a health care provider. The certification indicating disability should contain:

- a. The date on which the employee became disabled due to pregnancy;
- b. The probable duration of the period or periods of disability; and
- c. A statement that the employee needs to take PDL, because of due to the a disability due to pregnancy, childbirth, or a related medical condition, the employee is unable to perform one or more of the essential functions of her position without undue risk to herself, the successful completion of her pregnancy, or to other persons.

- (1). As a condition of returning from pregnancy disability leave or transfer, the District requires the employee to obtain a release from a health care provider stating that they are able to resume the original job duties with or without reasonable accommodation. Leave returns will be allowed only when the employee's health care provider provides a release;

- (2). PDL is unpaid. At the employee's option, the employee can use any accrued-accrued PTO as part of the PDL before taking the remainder of leave on an unpaid basis. The substitution of any paid leave will not extend the duration of

the PDL. Employees who participate in the District's group health insurance plan will continue to participate in the plan while on PDL under the same terms and conditions as if they were working. Benefit continuation under PDL is separate from benefit continuation for employees who also take birth bonding leave under the CFRA. Employees should make arrangements for payment of their share of the insurance premiums if they are not using paid leave. If otherwise eligible to take the time, an employee will be required to use Personal Leave during a pregnancy disability leave.

- (3). Duration of the leave will be determined by the advice of the employee's health care provider, but employees disabled by pregnancy may take up to four months or eighty-eight working days.
- (4). Part-time employees are also entitled to leave on a pro rata basis. The four months of leave includes any period of time for actual disability caused by the employee's pregnancy, childbirth, or related medical condition. This includes leave for severe morning sickness and for prenatal care.

7.

Reproductive loss leave is provided for up to five (5) unpaid days following reproductive loss event. If an employee experiences more than one reproductive loss within a 12-month period, leaves will not be granted in excess of 20 days within a 12-month period. A reproductive loss event includes a failed adoption, failed surrogacy, miscarriage, stillbirth or an unsuccessful assisted reproduction. The leave does not need to be consecutive but must be completed within three (3) months of the reproductive loss event.

Pregnancy Leave PDL does not need to be taken in one continuous period of time and may be taken intermittently, as needed in increments of one day.

Under most circumstances, upon submission of a medical certification that an employee is able to return to work from a Pregnancy Disability Leave PDL, an employee will be reinstated to the same position held at the time the Leave began or to an equivalent position, if available. An employee returning from a pregnancy disability leave has no greater right to reinstatement than if the employee had been continuously employed.

However, as stated above, if leave taken as PDL because of the employee's disability for pregnancy, childbirth or related medical condition is not counted as time used under California Law (the California Family Rights Act). PDL leave Time off because of pregnancy disability, childbirth or related medical condition does count as family and medical leave under Federal Law (the Family and Medical Leave Act). the FMLA.

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Employees who take time off for pregnancy disability and who are eligible for [FMLA family and medical](#) leave will also be placed on family and medical leave that runs at the same time as their pregnancy disability leave. Once the pregnant employee is no longer disabled, she may apply for leave under the [California Family Rights Act \(CFRA\)](#), for purposes of baby bonding, ~~however, the District will not pay for benefits during this leave.~~

~~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. California Family Rights Act leave taken for the birth or placement of a child will be granted in minimum amounts of two weeks. However, the District will grant a request for a California Family Rights Act leave (for birth/ placement of a child) of less than two weeks' duration on any two occasions. Any leave taken must be concluded within one year of the birth or placement of the child with the employee.~~

J. ~~Coordination of Pregnancy Disability Leave with Family/Medical Leave~~

~~If eligible under the provisions of FMLA and CFRA, during a Pregnancy Disability Leave, the District will continue group health insurance coverage for up to a maximum of twelve (12) workweeks on the same terms as if the employee had continued to work. Pregnancy Disability Leave runs concurrently with family and medical leave under federal law, but not with family and medical leave under California law. Therefore, when the concurrent Federal family leave expires, the employee shall then be entitled to an additional twelve (12) workweeks of California family leave after the birth of the child for child care and bonding. If an employee is ineligible under the Federal and State family and medical leave laws, while on pregnancy disability the employee will receive continued paid coverage on the same basis as other medical leave that the District may provide and for which the employee is eligible. In some instances, the District may recover premiums it paid to maintain health coverage for an employee if the employee fails to return to work following pregnancy disability leave.~~

~~An employee on pregnancy disability leave and who is not eligible for continued paid coverage, or for whom paid coverage ceases after twelve (12) workweeks, may continue the group health insurance coverage through the District in conjunction with Federal COBRA guidelines. This will require making monthly payments to the District for the amount of the relevant premium, plus an administrative fee of two percent. Contact the Administrative Services Manager for further information.~~

K.I. Family/Medical Leave.

1. Family Care and Medical Leave

~~This policy describes the circumstances and conditions under which an employee may take family care and medical leave. It is meant to be read in conjunction with California Government Code Section 12945.2, as well as CFR Part 825 and State and Federal regulations adopted to implement it. This policy is separate and distinct from other leave policies and procedures. Employees may need to request, or the District may designate, a leave of absence that qualifies for the protections under~~

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Commented [P516]: ~~If eligible under the provisions of FMLA and CFRA, during a Pregnancy Disability Leave, the District will continue group health insurance coverage for up to a maximum of twelve (12) workweeks on the same terms as if the employee had continued to work. Pregnancy Disability Leave runs concurrently with family and medical leave under federal law, but not with family and medical leave under California law. Therefore, when the concurrent Federal family leave expires, the employee shall then be entitled to an additional twelve (12) workweeks of California family leave after the birth of the child for child care and bonding. If an employee is ineligible under the Federal and State family and medical leave laws, while on pregnancy disability the employee will receive continued paid coverage on the same basis as other medical leave that the District may provide and for which the employee is eligible. In some instances, the District may recover premiums it paid to maintain health coverage for an employee if the employee fails to return to work following pregnancy disability leave.~~

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the Family and Medical Leave Act (FMLA) and/or the California Family Rights Act (CFRA).

This policy provides employees with information concerning FMLA/CFRA entitlements and obligations they may have during such leaves and also explains differences between FMLA, CFRA, and PDL. Where more than one of the laws applies, leave taken may be counted under more than one law at the same time to the extent permitted by the applicable law(s). For example, where leave for a pregnancy disability is also FMLA-qualifying, the leave will count against both FMLA and PDL entitlements. However, PDL is separate from and does not count against employees' CFRA leave entitlement. (Please consult the Pregnancy Disability Leave policy for more information on PDL.) This policy will be interpreted to comply with the law(s) that apply to a particular leave.

If employees have any questions concerning FMLA/CFRA leave, they should contact the Head of Human Resources.

2. Eligibility

All full-time and part-time District employees are eligible to take FMLA/CFRA leave if:

- a. They have been employed by the District for at least twelve (12) months; and,
- b. They have been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; ~~and,~~
- c. ~~The District employs 50 or more employees at the time the leave is requested.~~

3. Duration of Leave and How Taken

Eligible employees are entitled to take up to 12 weeks of FMLA/CFRA (26 weeks to care for a servicemember) during a 12-month period. The 12-month period in which an eligible employee may take FMLA/CFRA leave is calculated on a rolling basis measured backward from the date the employee first uses such leave. That is, each time an employee uses FMLA/CFRA leave, the remaining leave entitlement would be any balance of the 12 weeks of leave that had not been used during the immediately preceding 12 months.

FMLA/CFRA leave may be taken on a continuous basis, intermittently, or on a reduced schedule basis, in accordance with a certification provided by the employee. Employees who require intermittent or reduced-schedule leave must try to schedule their leave so that it will not unduly disrupt the District's operations.

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For family care leave taken for the reason of the birth, adoption, or foster placement of a child, the leave shall be taken within one year of the birth or placement of the child. Such leave must be taken in minimum increments of no less than two weeks, except on two occasions the District will approve a shorter period of leave.

4. Leave Description

A medical leave may be taken when an employee is unable to perform the essential functions of their position due to the employee's own serious health condition.

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A family care leave may be taken for the following reasons:

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- a. The birth of a child of the employee or the placement of a child with an employee in connection with adoption or foster care (FMLA and CFRA); or
- b. To care for the employee's spouse, child, or parent with a serious health condition (FMLA and CFRA);
- c. To care for the employee's registered domestic partner, parent-in-law, grandparent, grandchild, sibling, or designated person with a serious health condition (counts towards CFRA entitlements only, except when grandparent, grandchild, or sibling meets FMLA definition of parent or child). A designated person is To care for a parent, spouse, child or designated person (any individual related by blood or whose association with the employee is the equivalent of a family relationship who has a serious health condition. This designation can be made at the time that the leave request is made. (One designated person may be made each calendar year). A serious health condition is defined as an illness, injury, impairment, or physical or medical condition that warrants the participation of a family member to provide care during a period of the treatment or supervision of the family memberparent, spouse or child and involves either inpatient care in a hospital, hospice or residential health care facility or continuing treatment or continuing supervision by a health care provider; or
- c. The employee's own serious health condition. A serious health condition is defined as an illness, injury, impairment or physical or mental condition that prevents the employee from performing the functions of his/her position which involves either inpatient care in a hospital, hospice or residential health care facility or continuing treatment or continuing supervision by a health care provider (FMLA and CFRA).

Family and medical leave time is also permitted when an employee is the spouse, registered domestic partner, son, daughter, parent, or next of kin of a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. The employee may take up to a total of 26 workweeks of leave during a 12-month period to care for the service member. In addition, employees are entitled to time off for certain absences relating to any “qualifying exigency” because the employee is the spouse, registered domestic partner, son, daughter, or parent has been notified of an impending call or order to active duty. A “qualifying exigency” is one of the following: a. short-notice deployment, b. military events and activities, c. childcare and school activities, d. financial and legal arrangements, e. counseling, f. rest and recuperation, g. post-deployment activities, and h. any other activity that arises out of active duty, provided that the employee and the District agree, including an agreement regarding timing and duration of the leave.

45. Duration of Leave and How Taken Terms and Conditions of FMLA and CFRA Leave

A. Notice of Eligibility for, and Designation of, FMLA/CFRA Leave

Employees requesting FMLA/CFRA leave are entitled to receive written notice telling them whether they are eligible for FMLA/CFRA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA/CFRA leave, employees are entitled to receive written notice of: 1) their rights and responsibilities in connection with such leave; 2) the District’s designation of leave as FMLA/CFRA-qualifying or non-qualifying, if not FMLA/CFRA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee’s leave entitlement.

The District will respond to a leave request within five (5) business days. Once given, approval shall be deemed retroactive to the date of the first day of the leave. The District may designate FMLA/CFRA leave retroactively with appropriate notice provided that doing so does not cause harm or injury to employees. In other cases, the District and employees can mutually agree that leave is retroactively designated as FMLA/CFRA leave.

B. Employee Obligations for FMLA/CFRA Leaves

- i. Provide Notice of the Need for Leave;

Employees who take FMLA/CFRA leave must notify the District in a timely manner of their need for FMLA/CFRA leave. The following describes the content and timing of such notices.

- Content of Notice:

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To trigger FMLA/CFRA leave protections, employees must inform the Head of Human Resources of the need for FMLA/CFRA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA/CFRA leave specifically or explaining the reasons for leave so as to allow the District to determine that the leave is FMLA/CFRA-qualifying. For example, employees might explain that:

- a.—A medical condition renders them unable to perform the functions of their job;
- b.—They are pregnant;
- c.—They or a covered family member have been hospitalized overnight;
- d.—They or a covered family member are under the continuing care of a health care provider;
- e.—The leave is due to a qualifying exigency caused by a military member being on covered active duty or called to covered active-duty status; or
- f.—If the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious injury or illness.

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Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA/CFRA leave under this policy. Employees must respond to the District's lawful questions to determine if absences are potentially FMLA/CFRA-qualifying.

If employees fail to explain the reasons for FMLA/CFRA leave, the leave may be denied. When employees seek leave due to FMLA/CFRA-qualifying reasons for which the District has previously provided FMLA/CFRA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA/CFRA leave.

- ii.—Timing of Notice;

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Employees must provide 30 days' advance notice of the need to take FMLA/CFRA leave when the need is foreseeable. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must notify the District of the need for leave as soon as practicable under the circumstances. Employees who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA/CFRA notice obligations, may have FMLA/CFRA leave delayed or denied.

- iii.—Cooperating in the Scheduling of Leave;

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When planning medical treatment for themselves or family members or requesting to take leave on an intermittent or reduced schedule work basis, employees must consult with the District and make a reasonable effort to schedule treatment so as not to unduly disrupt District operations. Employees must consult with the District to scheduling treatment in order to work out a treatment schedule that best suits the needs of both the District and the employees, subject to the approval of the applicable health care provider. To the extent permitted by applicable law, when employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for employees or family members, including a period of recovery from a serious health condition or to care for a covered servicemember, the District may temporarily transfer employees to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

- * ~~ii.~~ Submit Initial Medical Certifications Supporting Need for Leave (Unrelated to Requests for Military Family Leave);

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Depending on the nature of FMLA/CFRA leave sought, employees may be required to submit medical certifications supporting their need for FMLA/CFRA-qualifying leave. As described below, there generally are three types of FMLA/CFRA medical certifications: an initial certification, a recertification, and a return to work/fitness for duty certification.

It is the responsibility of employees to submit timely, complete, and sufficient medical certifications. Whenever the District requests employees to provide FMLA/CFRA medical certifications, they must provide the requested certifications within 15 calendar days after the request, unless it is not practicable to do so despite diligent, good faith efforts. The District will inform employees if submitted medical certifications are incomplete or insufficient and provide them at least seven (7) calendar days to address deficiencies. The District will delay or deny FMLA/CFRA leave to employees who fail to address deficiencies or otherwise fail to submit requested medical certifications in a timely manner.

The District (through individuals other than the employee's direct supervisor) may contact the employee's health care provider to authenticate a medical certification.

Whenever the District deems it appropriate to do so, it may waive its right to receive timely, complete, and/or sufficient FMLA/CFRA medical certifications.

a. Initial Medical Certifications

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Employees requesting leave because of their own or a covered family member's serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service

member. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins.

If the District has reason to doubt the validity of an initial medical certification regarding the employee's own serious health condition, it may require the employee to obtain a second opinion at the District's expense. If the opinions of the initial and second health care providers differ, the District may, at its expense, require the employee to obtain a third, final and binding certification from a health care provider designated or approved jointly by the District and the employee. The District will reimburse employees for any reasonable "out of pocket" travel expenses incurred to obtain second or third medical opinions.

b. Medical Recertifications

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Depending on the circumstances and duration of FMLA/CFRA leave, the District may require employees to provide recertification of medical conditions giving rise to the need for leave. The District will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification. In cases of leave that qualifies under CFRA, recertification will be requested only when the original certification has expired and additional leave is requested.

c. Return-to-Work Release

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Unless notified that providing such certifications is not necessary, employees returning to work from FMLA/CFRA leaves that were taken because of their own serious health conditions must submit a release to return to work from their healthcare provider stating they are able to resume work. Employees taking intermittent leave may be required to provide a return-to-work release for such absences up to once every 30 days if reasonable safety concerns exist regarding their ability to perform their duties. The District may delay and/or deny job restoration until employees provide return-to-work releases.

* Submit Certifications Supporting Need for Military Family Leave;

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Upon request, the first time employees seek leave due to qualifying exigencies arising out of the covered active duty or call to covered active duty status of a military member, the District may require them to provide: 1) a copy of the military member's active duty orders or other documentation issued by the military indicating the military member is on covered active duty or call to active duty status and the dates of the military member's covered active duty service and, 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active-duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different covered active duty or call to covered active-duty status of the same or a different military member.

When leave is taken to care for a covered servicemember with a serious injury or illness as allowed by the FMLA only, the District may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, and in accordance with the FMLA regulations, the District may request that the certification submitted set forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

- vi. Reporting Changes to Anticipated Return Date:

If the anticipated return to work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, the employee must provide the District with reasonable notice (i.e., within two (2) business days) of their changed circumstances and new return-to-work date. If employees give the District unequivocal notice of their intent not to return to work, they will be considered to have voluntarily resigned and the District's obligation to maintain health benefits (subject to COBRA requirements) and to restore their positions will cease.

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- vii. Substitute Paid Leave for Unpaid FMLA Leave:

Employees may substitute accrued paid time while taking an unpaid FMLA/CFRA leave as follows:

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If employees request FMLA/PDL leave because of disability due to pregnancy, childbirth, or related medical conditions (excluding absences for which they are receiving short-term disability benefits), they may first substitute any accrued PLT/PTO for unpaid family/medical leave. Employees may make a written request to substitute any other accrued paid time off benefits for unpaid FMLA/PDL leave once their sick time is exhausted.

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If employees request FMLA/CFRA leave because of their own serious health condition (excluding absences for which they are receiving workers' compensation or short-term disability benefits), they may-must first substitute any accrued PLT/PTO or other accrued paid time off for unpaid family/medical leave.

If employees request FMLA/CFRA leave to care for a covered family member with a serious health condition (excluding absences for which they are receiving Paid Family Leave benefits), they may-must first substitute any accrued PLT/PTO for unpaid family/medical leave.

If employees request FMLA/CFRA leave to bond with a newborn or newly placed child they may-must first substitute any accrued PLT/PTO or other accrued paid time off for unpaid leave, unless they are receiving Paid Family Leave benefits.

For purposes of this substitution requirement, leave is not "unpaid" during any time for which the employee is receiving compensation from the State of California under its State Disability Insurance or Paid Family Leave programs or when receiving compensation from worker's compensation. Employees will not be required to use accrued paid leave hours during any time off under this policy for which they are receiving compensation under these programs. However, where applicable and permitted by law, they will be required to use paid leave accruals during any waiting periods applicable to these programs, and upon written request, the District will allow them to use accrued paid time off to supplement any paid workers' compensation, disability, or Paid Family Leave benefits.

The substitution of paid leave for unpaid family/medical leave time does not extend the length of FMLA/CFRA leaves and the paid time off runs concurrently with the FMLA/CFRA entitlement.

• ~~vii.~~ — Pay Employee's Share of Health Insurance Premiums;

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As noted above, during FMLA/CFRA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. If paid leave is substituted for unpaid family/medical leave, the District will deduct employees' shares of the health plan premium as a regular payroll deduction. If FMLA/CFRA leave is unpaid, employees must pay their portion of the premium through a method determined by the District upon leave. The District's obligation to maintain health care coverage ceases if the premium payment is more than 30 days late. If the payment is more than 15 days late, the District will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date.

If employees do not return to work for at least 30 calendar days after the end of the leave period (unless they cannot return to work because of a serious health condition or other circumstances beyond their control), they will be required to reimburse the District for the cost of the premiums the District paid for maintaining coverage during their unpaid FMLA/CFRA leave.

66. Accrual of Benefits during Leaves of Absence

No employee on leave of absence shall accrue ~~sick leave or vacation benefits~~ PLT/PTO during the period of the absence if the leave is unpaid, i.e., if the employee is not using after the exhaustion of any accrued PLT/PTO personal leave time.

Accrued ~~sick leave and vacation benefits~~ PLT/PTO shall not be lost by virtue of a leave of absence.

Time granted for a leave of absence without pay will not be considered as service in computing the service necessary for eligibility for a step increase.

~~7. Return from Leave of Absence~~

~~a. Medical Certification~~

~~An employee who takes family and medical leave as the result of his or her own serious health condition will be required to submit medical certification from a health care provider that the employee is able to return to work.~~

~~87. Reinstatement~~

Upon granting family care or medical leave, the District will guarantee reinstatement to the same or comparable position, except in those situations where reinstatement could be denied. Employment in a comparable position means employment in a position that is virtually identical to the employee's original position in terms of pay, benefits, and working conditions, including privileges, prerequisites, and status.

~~9. Change in Date of Return~~

~~An employee who learns that the anticipated date of return is either earlier or later than originally anticipated shall immediately advise his or her supervisor. This will assist the District in planning for the absence. The employee shall not report for duty prior to the expiration date of his leave of absence without the permission of the District Administrator.~~

~~108. Accommodation Following Return~~

An employee returning from ~~family and medical leave~~ FMLA/CFRA leave taken for his or her own serious health condition who is unable to perform the essential functions of the employee's job because of a physical or mental disability, will be given a reasonable accommodation to allow the employee to perform his or her job. This accommodation may include an extension of unpaid time off.

~~E.J. Paid Family Leave~~

An employee may be ~~entitled-eligible~~ to ~~receive~~ Paid Family Leave through the State Disability Insurance (SDI) Program, ~~which provides partial income replacement while an employee is off work~~ to provide care for parents, children, spouses, and domestic partners or to bond with a new child. Information regarding coverage and benefits may be requested from the Administrative Services Manager.

~~To qualify for Paid Family Leave compensation, the employee must meet the following requirements:~~

~~1. Be covered by SDI and have earned at least \$300 from which deductions were withheld.~~

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~~2. Complete claim forms accurately, completely, truthfully, and in a timely manner.~~

~~3. Supply medical information that supports the claim that the care recipient is in need of the employee's care.~~

~~4. Provide documentation to support a claim for bonding with a new child.~~

~~5. Serve a 7 day unpaid waiting period before benefits begin.~~

~~Also, if an employee wishes to maintain any health benefits, the employee is responsible for all premium amounts during the Paid Family Leave period.~~

Paid Family Leave does not provide job protection or return rights. The employee must notify the District of the reason for taking leave in a manner consistent with District's leave policy.

Any Paid Family Leave taken under this provision that qualifies as leave under the ~~federal FMLA and/or CFRA Family Medical Leave Act and the California Family Rights Act~~ must be concurrent with leave taken under those Acts. Leave taken will be counted as family/medical leave and charged to the employee's entitlement of twelve (12) workweeks of family/medical leave in a 12-month period.

K.M. Extended Medical Leave

~~In addition to FMLA and CFRA leave, or if an employee is not eligible for FMLA/CFRA leave, a~~ medical leave of absence may be granted ~~at the District's discretion~~ for non-work-related temporary medical disabilities (other than pregnancy, childbirth, and related medical conditions) for up to four months with a health care provider's written certificate of disability. Employees should request any leave in writing as far in advance as possible. If granted such a medical leave, the District will pay accrued ~~Personal Time Leave~~ PLT/PTO for the period of time equivalent to the employee's accumulated ~~Personal Time Leave~~ PLT/PTO which ~~is currently accrued~~ has already been earned.

A medical leave begins on the first day the doctor certifies that the employee is unable to work, and ends when the doctor certifies that the employee is able to return to work or after a total of four months of leave, whichever occurs first. The Department Manager will supply the employee with a form for the health care providers to complete, showing the date the employee was disabled and the estimated date the employee will be able to return to work. An employee returning from a medical leave must present a health care provider's certificate declaring fitness to return to work.

If returning from a non-work-related medical leave, you will be offered the same position you held at the time your leave began, if it is available. If the former position is not available, a comparable position will be offered. If neither the same nor a comparable position is available, the return to work will depend on job

openings existing at the time of the scheduled return. The District makes no guarantees of reinstatement, and the return will depend on the employee's qualifications for existing openings.

~~**N. Concurrent Medical Leave or Extended Medical Leave and Family/Medical Leave**~~

~~Any leave taken under this provision qualifying as leave under the state and/or federal Family and Medical Leave Acts will be counted as family/medical leave and charged to your entitlement of twelve (12) workweeks of family/medical leave in a 12-month period.~~

~~**O. Concurrent Personal and Family/Medical Leave**~~

~~Any leave taken under this provision that qualifies as leave under the state and/or federal Family and Medical Leave Acts will be counted as family/medical leave and charged to the employee's entitlement of twelve (12) workweeks of family/medical leave in a 12-month period.~~

LP. Jury Duty and Witness Leave

The District encourages employees to serve on jury duty when called. Non-exempt employees who have completed their probationary periods will receive full pay for regularly scheduled hours while serving up to twenty (20) days of jury duty. Exempt employees will receive full salary. Employees should notify their supervisor of the need for time off for jury duty as soon as a notice or summons from the court is received. The employee may be requested to provide written verification from the court clerk of performance of jury service. If on any day work time remains after any day of jury selection or jury duty, the employee will be expected to return to work for the remainder of his/her work schedule.

Employees may retain any mileage allowance paid by the court for jury services. Other fees for jury services shall be endorsed over to the District.

Employees will be paid their normal wage or salary if required to be a witness or required by a subpoena to appear in court on District business. Employees will not be paid for their time off if summoned to appear in court as a witness or because of a subpoena for any other reason. Employees may use their accrued PLT/PTO for this reason, upon request.

MQ. Military Leave

Military leave shall be provided for active duty, reserves service, training, or any other purpose allowed by in-accordance-with-the-law. Employees who wish to serve in the military and take military leave should contact the Administrative Services Manager for information about their rights before and after such leave. Employees are entitled to reinstatement upon completion of military service, provided the employee's return or apply for reinstatement within the time allowed by law.

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NR. Time Off for Voting

If an employee does not have sufficient time outside of working hours to vote in a ~~statewide an official state sanctioned~~ election, the employee may take off enough working time to vote. Such time off shall be taken at the beginning or the end of the regular working shift, whichever allows for more free time, and the time taken off shall be combined with the voting time available outside of working hours to a maximum of two hours combined. Under these circumstances, an employee will be allowed a maximum of two hours of time off during an election day without loss of pay. When possible, an employee requesting time off to vote shall give his or her supervisor at least two (2) days' notice.

OS. Volunteer Firefighters and Peace Officers

No employee shall be disciplined for taking time off to perform emergency duty as a volunteer firefighter, peace officer, or emergency rescue personnel. Employees are also eligible for unpaid leave for required training. If an employee is an official volunteer firefighter, the employee should alert his/her supervisor that the employee may have to take time off for emergency duty. If possible, when taking time off for emergency duty, the employee should alert his/her supervisor before doing so.

PT. ~~Domestic Violence~~ Leave for Qualifying Acts of Violence and Serious Crimes or Felonies

Any employee who is a victim or whose family member is a victim of a qualifying act of violence, may take unpaid leave for up to 12 weeks for the following reasons:

- To obtain or attempt to obtain any relief for the family member. Relief includes, but is not limited to, a temporary restraining order, restraining order, or other injunctive relief to help ensure the health, safety, or welfare of the family member of the victim.
- To seek, obtain, or assist a family member to seek or obtain medical attention for or to recover from injuries caused by a qualifying act of violence.
- To seek, obtain, or assist a family member to seek or obtain services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency as a result of a qualifying act of violence.
- To seek, obtain, or assist a family member to seek or obtain psychological counseling or mental health services related to an experience of a qualifying act of violence.
- To participate in safety planning or take other actions to increase safety from future qualifying acts of violence.
- To relocate or engage in the process of securing a new residence due to the qualifying act of violence, including, but not limited to, securing temporary

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or permanent housing or enrolling children in a new school or childcare.

- To provide care to a family member who is recovering from injuries caused by a qualifying act of violence.
- To seek, obtain, or assist a family member to seek or obtain civil or criminal legal services in relation to the qualifying act of violence.
- To prepare for, participate in, or attend any civil, administrative, or criminal legal proceeding related to the qualifying act of violence.
- To seek, obtain, or provide childcare or care to a care-dependent adult if the childcare or care is necessary to ensure the safety of the child or dependent adult as a result of the qualifying act of violence.

If any employee's family member is a victim who is not deceased as a result of crime, and the employee is not a victim, the employee may only take a leave of 10 days under this policy. If the employee's family member is a victim who is not deceased as a result of a crime, and the employee is not a victim, and the employee takes leave to relocate or engage in the process of securing a new residence due to the qualifying act of violence, including, but not limited to, securing temporary or permanent housing or enrolling children in a new school or childcare, the employee may only take leave for five days.

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In addition, any employee who has been a victim, or whose family member has been a victim, of serious or violent felonies as specified under California law, or felonies relating to theft or embezzlement may take time off work to attend judicial proceedings related to the crime. Covered judicial proceedings include but are not limited to any delinquency proceeding, a post-arrest release decision, plea, sentencing, postconviction release decision, or any proceeding where a right of that person is an issue.

For purposes of this policy, "family member" means a child, parent, grandparent, grandchild, sibling, spouse, domestic partner, or designated person. "Designated person" means any individual related by blood or whose association with the employee is the equivalent of a family relationship. The designated person may be identified by the employee at the time the employee requests the leave. Employees may only designate one person per 12-month period.

For purposes of this policy, "qualifying act of violence" means any of the following, regardless of whether anyone is arrested for, prosecuted for, or convicted of committing any crime:

- Domestic violence;
- Sexual assault;
- Stalking; or
- An act, conduct, or pattern of conduct that includes any of the following:
 - In which an individual causes bodily injury or death to another individual;
 - In which an individual exhibits, draws, brandishes, or uses a firearm, or other dangerous weapon, with respect to another individual; or
 - In which an individual uses, or makes a reasonably perceived or actual threat

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to use force against another individual to cause physical injury or death.

Whenever possible, employees must provide their supervisor reasonable notice before taking any time off under this policy. If reasonable advance notice is not feasible, EmployerName the District may require proof of the employee's participation in these activities.

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Employees may substitute any accrued vacation, sick, or other leave credits for the leave under this policy. Leave under this policy does not extend the time allowable under the Family and Medical Leave policy above.

No employees will be subject to discrimination or retaliation because of their status as a victim or whose family member is a victim of a qualifying act of violence. Any employee who is a victim, or whose family member is a victim of a qualifying act of violence may request other workplace accommodations such as a transfer, schedule modification, implementation of safety measures, or referral to victim assistance. The District will engage in a good faith interactive process to determine reasonable accommodations, considering any immediate danger, so long as it does not cause undue hardship on business operations.

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Q. Time Off for Crime Victims

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Employees who have been victims of serious or violent felonies, as specified under California law, or felonies relating to theft or embezzlement may take time off work to attend judicial proceedings related to the crime. Employees may also take time off if an immediate family member has been a victim of such crimes and the employee needs to attend judicial proceedings related to the crime. "Immediate family member" is defined as a person to whom the employee is legally married under the laws of any state, domestic partner, child, child of a registered domestic partner, stepchild, or person to whom employee stood in loco parentis when the person was a minor, sibling, stepsibling, half-sibling, parent, stepparent, foster parent, or legal guardian.

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Employees must submit a copy of the court notice given to the victim of each scheduled proceeding before taking time off, unless advance notice to the District of the need for time off is not feasible. When advance notice is not feasible, the employee must provide the District with documentation evidencing the judicial proceeding, within a reasonable time after the absence. The documentation may be from the court or government agency setting the hearing, the district attorney or prosecuting attorney's office or the victim/witness office that is advocating on behalf of the victim.

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Employees may elect to use accrued paid vacation time, paid sick leave time, or other paid time off for the absence. If the employee does not elect to use paid time off, the absence will be unpaid. However, exempt employees will be paid their full salary for any workweek interrupted by the need for time off under this policy.

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R. Time Off for Military Spouses

An employee who works, on average, at least 20 hours per week and has a spouse who is a qualified member of the United States Armed Forces, the National Guard or

~~restraining orders, or appearing in court to obtain relief to ensure the employee's health, safety, or welfare, or that of the employee's child(ren).~~

~~California law provides protections to employees from discrimination or retaliation for taking time off for the following, regardless of whether anyone is arrested for, prosecuted for, or convicted of committing any crime:~~

- ~~• Jury Duty~~
- ~~• Court Appearances~~
- ~~• Or Victims of crime or abuse~~
 - ~~○ Domestic Violence~~
 - ~~○ Sexual Assault~~
 - ~~○ Stalking~~
 - ~~○ An Act, conduct or pattern of conduct that includes:~~
 - ~~• An individual causes bodily injury or death to another~~
 - ~~• An individual exhibits, draws, brandishes, or uses a firearm other dangerous weapon, with respect to another~~
 - ~~• An individual uses or makes a reasonably perceived or actual threat of use of force against another to cause physical injury or death.~~

~~The length of unpaid leave an employee may take is limited to the twelve (12) weeks provided for in the federal Family and Medical Leave Act of 1993.~~

U. Organ Donor Leave

Employees will be granted up to thirty (30) days of time off within a 12-month period (measured from the date the employee's leave begins to donate an organ to another person) for organ donation. Employees wishing to take time off for organ donation must provide written certification from a health care provider stating that the employee is an organ donor and that there is a medical necessity for the donation.

Employees will be required to use fifteen (15) days of accrued PLT/PTO sick leave and vacation during organ donation leave. If the employee does not have fifteen (15) days of accrued sick leave and vacation leave is not sufficient to provide pay for his or her leave, the employee must exhaust their accrued time. the employee must exhaust the accrued paid time off. The District will pay the employee for all remaining organ donor leave, up to a maximum of thirty (30) days.

The District will continue the employee's health insurance benefits while the employee is on paid organ donor leave. Vacation, sick leavePLT/PTO, and holiday benefits will continue to accrue while the employee is on paid leave.

V. Bone Marrow Donation Leave

Employees will be granted up to five (5) days of time off to donate bone marrow. Employees wishing to take time off to donate bone marrow must provide written

~~restraining orders, or appearing in court to obtain relief to ensure the employee's health, safety, or welfare, or that of the employee's child(ren).~~

~~California law provides protections to employees from discrimination or retaliation for taking time off for the following, regardless of whether anyone is arrested for, prosecuted for, or convicted of committing any crime:~~

- ~~• Jury Duty~~
- ~~• Court Appearances~~
- ~~• Or Victims of crime or abuse
 - ~~○ Domestic Violence~~
 - ~~○ Sexual Assault~~
 - ~~○ Stalking~~
 - ~~○ An Act, conduct or pattern of conduct that includes:
 - ~~* An individual causes bodily injury or death to another~~
 - ~~* An individual exhibits, draws, brandishes, or uses a firearm other dangerous weapon, with respect to another~~
 - ~~* An individual uses or makes a reasonably perceived or actual threat of use of force against another to cause physical injury or death.~~~~~~

~~The length of unpaid leave an employee may take is limited to the twelve (12) weeks provided for in the federal Family and Medical Leave Act of 1993.~~

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Employees will be required to use fifteen (15) days of accrued PLT/PTO sick leave and vacation during organ donation leave. If the employee does not have fifteen (15) days of accrued sick leave and vacation leave is not sufficient to provide pay for his or her leave, the employee must exhaust their accrued time. the employee must exhaust the accrued paid time off. The District will pay the employee for all remaining organ donor leave, up to a maximum of thirty (30) days.

The District will continue the employee's health insurance benefits while the employee is on paid organ donor leave. Vacation, sick leave PLT/PTO, and holiday benefits will continue to accrue while the employee is on paid leave.

V. Bone Marrow Donation Leave

Employees will be granted up to five (5) days of time off to donate bone marrow. Employees wishing to take time off to donate bone marrow must provide written

certification from a health care provider stating that the employee is a bone marrow donor and that there is a medical necessity for the donation.

Employees will be required to use accrued ~~sick leave and vacation~~ PLT/PTO during bone marrow donation leave. If the employee's accrued ~~sick leave and vacation~~ is not sufficient to provide pay for the bone marrow donation leave, the employee must exhaust all accrued leave; the employee must exhaust all accrued paid time off. The employee will be paid for all remaining bone marrow donation leave, up to a maximum of five (5) days.

The District will continue your health insurance benefits while you are on paid bone marrow donation leave. ~~Vacation, sick leave, PLT/PTO~~ and holiday benefits will continue to accrue while the employee is on paid leave.

W. School Activities Leave

Employees are encouraged to participate in the school activities of their child(ren). The absence is subject to all of the following conditions:

1. Parents, guardians, or grandparents having custody of one or more children in kindergarten or grades one to twelve may take time off for a school activity;
2. The time off for school activity participation cannot exceed eight hours in any calendar month, or a total of forty (40) hours each school year;
3. Employees planning to take time off for school visitations must provide as much advance notice as possible to their supervisor, and time off must be approved by their supervisor or Department Manager;
4. If both parents are employed by the District, the first employee to request such leave will receive the time off. The other parent will receive the time off only if the leave is approved by his or her department manager;
5. Such time off shall be without pay unless the employee chooses to use Personal Time Leave and receive compensation; and
6. Employees must provide their supervisor with documentation from the school verifying that the employee participated in a school activity on the day of the absence for that purpose.

Employees may also take unpaid time off up to 40 hours in one calendar year if they are parents (including individuals acting in the capacity of a parent under the law), guardians, stepparents, foster parents or grandparents with custody of a child attending, or of age to attend, a licensed child-care provider or kindergarten through Grade 12. The unpaid leave must be used for the following child-related activities:

1. To find, enroll or reenroll the child in a school or with a licensed child-care provider, or to participate in the activities of the school or licensed child-care provider of the child.
2. To address a child-care provider or school emergency, meaning that the child cannot remain in school or with a child-care provider due to one of the following:
 - a. The school or child-care provider has requested that the child be picked up or has an attendance policy, excluding planned holidays, that prohibits the child from attending or requires the child to be picked up from the school or child-care provider;
 - b. Behavioral or discipline problems;
 - c. Closure or unexpected unavailability of the school or child-care provider, excluding planned holidays; or
 - d. A natural disaster, including, but not limited to, fire, earthquake, or flood.

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X. Suspension

If an employee who is the parent or guardian of a child facing suspension from school is summoned to the school to discuss the matter, the employee should alert his or her supervisor as soon as possible before leaving work. Such time shall be unpaid unless the employee chooses to use Personal Time Leave or Paid Time Off. No discriminatory action will be taken against an employee who takes time off for this purpose.

Y. Returning to Work from a Leave of Absence

While an employee is on a leave of absence, an effort will be made to hold the employee's position open for a maximum of twelve (12) weeks or as required by law. Due to business needs, there will be times when positions cannot be held open. Accordingly, it is not possible to guarantee reinstatement following each leave of absence.

In the event that an employee's former position cannot be held open and is unavailable when the employee is ready to return in a timely manner from an approved leave, an effort will be made to place the employee in a comparable position for which the employee is qualified. If this comparable position is at a lower salary than the previous position, the returning employee will be paid at the lower salary. Employees who do not accept such a position offered by the District will be considered to have voluntarily resigned, effective the date the refusal is made.

Employees taking leave should discuss the right to reinstatement with their supervisors before leave is taken.

Z. Benefits During Unpaid Leave of Absence

An employee on an unpaid leave of absence does not accrue Personal Time Leave benefits. The period that an employee is on unpaid leave of absence is not considered time worked for purposes of determining eligibility for or the amount of any benefit provided by the District, unless required by law or policy. When an employee returns from an unpaid leave of absence, the eligibility and accrual dates for all benefits for which the employee is eligible will be adjusted to reflect the period of such leave. If a paid holiday falls during the period an employee is on an unpaid leave of absence, the employee will not be eligible for holiday pay.

ADD PWFA SECTION

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Send sample CFRA/FMLA forms

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4.7 Cover sheet – Amending ARD’s Refund Policy for Youth Services

Auburn Area Recreation and Park District (ARD) Policy Committee meeting April, 2026

The Issue

Shall the Auburn Area Recreation and Park District (ARD) amend the policy regarding refunds for the Youth Services Department?

Background

ARD has established refund policies and procedures in regards to the Youth Services Department. The current policy allows for refunds with 14 days notice. 14 days is not enough time for ARD to fill spots that become vacant upon a refund, therefore ARD loses that revenue. A 30 day timeline will provide the time necessary to backfill the open spot.

Recommendation for the Policy Committee

Review and send a positive recommendation to adopt and approve the proposed changes to the Youth Services Refund policy.

Fiscal Impact

It is estimated that ARD lost approximately \$2,500 in revenue last year due to our current refund policy.

Attachments

Proposed amendments to the ARD Refund Policies and Procedures

D. ARD Youth Services Refund Policy Regarding Refunds/credits/day changes.

1. ARD Day Camp

a. All requests for refunds, credits or day changes must be made in writing and must go through the Youth Services Manager. Credits are good for one year from the date of issuance.

b. In order to receive full refunds, 30 days' notice, in writing, from the first day of the session, is due on any changes to the contracted schedule.

c. In order to receive full credits 14 days' notice, in writing, from the first day of the session, is due on any changes to the contracted schedule. Failure to give at least 14 days' notice will result in the parent/guardian/client being required to pay for the contracted days(s) even if their child(ren) do(es) not attend. This includes field trips.

d. If proper notice is not given, no refunds or credits will be issued except for illness with a doctor's note citing the specific dates a child may not attend. This includes field trips. ARD does not offer make-up dates for classes or swim lessons missed due to field trips.

e. There are no credits or refunds for other ARD classes, camps or swim lessons missed due to field trips or events, nor does ARD offer a part-time discount to participants of these activities.

f. ARD does not extend credits/refunds/day changes for students who are suspended from the program for any reason.

g. ARD offers credits (not refunds) for days paid in the event of an unexpected day camp closure due to acts of nature or other circumstances beyond our control.

h. ARD may offer credits or refunds if a Federal, State or local emergency is declared. If the totality of refunds exceeds \$25,000, the District Administrator will obtain approval of the Board.

i. Payments on account will be accepted from subsidy groups who contract with ARD to provide care for approved campers. If a family is utilizing subsidized care, including but not limited to PCOE or ELOP, 14 days' notice is due in writing, on any changes to the contracted schedule and a 30- days' notice, in writing, is required if the family leaves the program..

j. The ARD Youth Services Manager may recommend refunds based on hardships or other extenuating circumstances. Before a refund of this nature can be made, the manager must thoroughly investigate the circumstances surrounding the issue(s) to determine if a refund is warranted. The Youth Services Manager will make these refund recommendations to the District Administrator, who will approve or deny all requests.

k. In the event of power outages with poor air quality and/or temperatures above 90 degrees, we will only offer the morning session until 12:30 and close for the afternoon. Credits, not refunds, will be offered at that time.

2. ARD Discovery Club

a. Days must be contracted and paid in advance and may not be changed or moved once payment is received.

b. In order to receive full credits 14 days' notice is due in writing, on any changes to the contracted schedule. Failure to give at least 14 days' notice will result in the parent/guardian/client being required to pay for the contracted days(s) even if their child(ren) do(es) not attend.

c. If proper notice is not given, no refunds or credits will be issued except for illness with a doctor's note citing the specific dates a child may not attend..

d. In order to receive full refunds, 30 days' notice, in writing, from the first day of the session, is due on any changes to the contracted schedule. Refunds must be approved by the Youth Services Manager.

e. ARD may offer credits or refunds if a Federal, State or local emergency is declared. If the totality of refunds exceeds \$25,000, the District Administrator will obtain approval of the Board.

f. Discovery Club does not operate on the school's late starts, early dismissals or school closures due to severe weather, snow days, power outages, or other circumstances beyond the program's control. There are no credits or refunds for those days.

g. Payments on account will be accepted from subsidy groups who contract with ARD to provide care for approved students. If a family is utilizing subsidized care, including but not limited to PCOE or ELOP, 14 days' notice is due in writing, on any changes to the contracted schedule and a 30- days' notice, in writing, is required if the family leaves the program..

h. All credits through CivicRec must be authorized by the Youth Services manager. All refunds must be authorized by the Youth Services Manager, approved by the District administrator, and documents forwarded to accounting.

i. The ARD Youth Services Manager may recommend refunds based on hardships or other extenuating circumstances. Before a refund of this nature can be made, the manager must thoroughly investigate the circumstances surrounding the issues(s) to determine if a refund is warranted. The Youth Services Manager will make these refund recommendations to the District Administrator, who will approve or deny all requests.

j. If a family needs to leave the program, they are required to give a 30- day notice.

3. ARD KinderReady Programs

a. If class is cancelled due to circumstances beyond the program's control, credit (not refunds) will be issued. Otherwise, no credits or refunds are given for absences.

b. In order to receive full refunds, 30 days' notice, in writing, from the first day of the session, is due on any changes to the contracted schedule.

c. In order to receive full credits 14 days' notice, in writing, from the first day of the session, is due on any changes to the contracted schedule. Failure to give at least 14 days' notice will result in the parent/guardian/client being required to pay for the contracted days(s) even if their child(ren) do(es) not attend. This includes field trips.

d. ARD may offer credits or refunds if a Federal, State or local emergency is declared. If the totality of refunds exceeds \$25,000, the District Administrator will obtain approval of the Board.

e. If a family needs to leave the program, they are required to give a 30- day notice.

f. Payments on account will be accepted from subsidy groups who contract with ARD to provide care for approved students. If a family is utilizing subsidized care, including but not limited to PCOE or ELOP, 14 days' notice is due in writing, on any changes to the contracted schedule and a 30- days' notice, in writing, is required if the family leaves the program.

g. The ARD Youth Services Manager may recommend refunds based on hardships or other extenuating circumstances. Before a refund of this nature can be made, the manager must thoroughly investigate the circumstances surrounding the issues(s) to determine if a refund is warranted. The Youth Services Manager will make these refund recommendations to the District Administrator, who will approve or deny all requests.

4.8 Cover sheet – Regional Park Renaming – “North Auburn Nisenan Park”

Policy Committee April, 2026

The Issue

Shall the Auburn Area Recreation and Park District (ARD) Board of Directors consider renaming Regional Park “North Auburn Nisenan Park”? Director Ainsleigh has requested that this item be considered.

Background

The Auburn Area Recreation and Park District (ARD) owns and manages the (+/-) 57.8 acre Regional Park. That park contains an unnamed community center building that features a gymnasium, meeting/rental room (the Lakeside Room), locker rooms and an office. The park also has three ballfields:

- Ridge Runners Field
- Bill Beane Field
- Regional “B” Field

ARD also has named the still-undeveloped expansion of Regional Park Marriott Meadows.

Director Ainsleigh has requested that the Board reconsider naming Regional Park “North Auburn Nisenan Park”.

The ARD Board has previously considered renaming Regional Park in 2016 and 2022.

ARD Policy on naming public facilities:

XVI. Naming Public Facilities

During the master-planning phase and/or prior to Board approving final plans and specifications on any park or public building, an open period of approximately two weeks will be announced giving individuals, staff and the Board an opportunity to suggest names for the facility.

A press release will be sent out notifying the public, and interested individuals could submit the appropriate form giving staff some information regarding the suggested name. Names should be submitted to the District Administrator.

Staff, along with an established committee or selection committee, will review all names and prioritize and recommend a name for finalization by the Board of Directors. The Board would receive all names submitted along with the staff/committee evaluation.

Land or gifts with deed restrictions may not follow these guidelines.

Names must be in accordance to District policy as noted.

A. Parks:

1. Name to reflect geographical location, historical references or feature of park, or significant or unusual natural features.
2. Named after a significant individual(s).

B. Buildings:

1. Name to reflect the services provided in facility.
2. Name to reflect geographical location.
3. Named after significant individual(s).

C. Criteria for naming a facility after an individual:

1. Individual must have made a significant contribution to the facility by:
 - a. Donation of land or large financial contribution to the facility.
 - b. Contributed substantially and improved the quality of life in the Auburn Area Recreation and Park District (Area 5). This could relate to involvement with parks and recreation or other public agency.
2. Each public facility or place within parks, such as ball fields, groves, walkways, trails and buildings could be named after selected individuals in their honor as desired and appropriate.

Recommendation for the Policy Committee

Review and discuss. Send a recommendation to the Board, if applicable.

Should the Board wish to consider renaming Regional Park, staff would reach out to the public and possible interested groups, including the United Auburn Indian Community (UAIC).

Fiscal Impact

N/A

Attachments

None