

MEMORANDUM OF UNDERSTANDING  
BETWEEN  
CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT  
AND THE  
CHABOT-LAS POSITAS FACULTY ASSOCIATION

August 23, 2012

## **11H. Military Leave**

(See Appendix: Absence: LOA Requests and Absence: Report Form)

### **~~11H.1 Purpose and Duration~~**

~~A Military Leave of Absence shall be granted to an active unit member who receives orders to active duty during the academic year, for a period not to exceed one hundred eighty (180) calendar days including travel time, for purposes of active military training, encampment, naval cruises, special exercises or like activity, excluding military drills, as a member of the reserve corps or force of the armed forces of the United States or the National Guard, or the Naval Militia.~~

### **~~11H.2 Compensation~~**

~~An active unit member with Contract, Regular or Temporary status, who has been employed continuously for not less than one (1) year, and for half time or more, shall be entitled to receive his or her District salary excluding extra hours pay for the first thirty (30) calendar days of such Military Leave.~~

### **~~11H.3 Orders~~**

~~A copy of the official Orders shall be submitted to the Chancellor at the time of such request and in advance of the approval by the Board of Trustees.~~

Proposed New Language

### **11H.1 Military Service Leaves.** Eligible unit members shall be granted a Military Leave in accordance with the California Education Code, Military and Veterans Code, and the Uniformed Services Employment and Reemployment Rights Act. (USERRA)

Pursuant to California law, eligible unit members, when called to "ordered duty" (military training, encampment, naval cruises, like exercises, etc.) for less than one hundred and eighty (180) days, and/or active duty, shall be entitled to receive their regular salary for the first thirty (30) days they are absent from their duties due to such service.

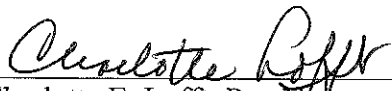
**11H.2 Military Family Leave.** Pursuant to certain Family Medical Leave Act (FMLA) leave entitlements for military families, eligible unit members who are the spouse, child, parent, or next of kin of a military service member shall be granted a military family leave for a "qualifying exigency" and/or to care for a covered service member with a serious illness or injury incurred in the line of duty on active duty.

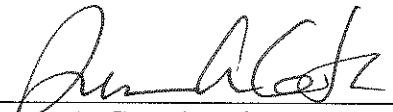
Pursuant to California law, an eligible spouse of a military service member may also take up to ten (10) days of unpaid Leave of Absence when the military service member is on leave from deployment during a period of military conflict.

**11H.3 Orders**

A copy of the official Orders shall be submitted to the Chancellor at the time of such request and in advance of the approval by the Board of Trustees.

Signed and entered into this 24<sup>th</sup> day of August, 2012

  
Charlotte E. Lofft, President  
Chabot-Las Positas  
Faculty Association

  
Susan A. Cota, Interim Chancellor  
Chabot-Las Positas  
Community College District