

Upon recovery, an employee shall present written evidence satisfactory to the appointing authority of being released for return to duty. The employee shall be restored to a position within the class to which he/she was assigned and, if at all possible, to his/her previous position.

If, at the conclusion of all applicable leaves of absence, and after all attempts to reasonably accommodate the job to the employee's known disability, the employee still is unable to assume the duties of his/her position, he/she shall be placed on a reemployment list for a period of thirty-nine (39) months.

An employee who has been medically released for return to duty and who fails to accept an appropriate assignment shall be dismissed.

#### 11.19 Return Before Expiration of Leave

Two (2) weeks' written notice and the approval of the Governing Board are required for an employee who desires to return to duty before expiration of an authorized leave of absence.

#### 11.20 Change in Type of Leave

An employee may request to change from one type of paid leave to another with appropriate notice and certification of the cause of such a change. The affected employee shall notify or see that someone else notifies his/her supervisor at the earliest possible opportunity. Approval of the change request shall be at the discretion of the immediate supervisor.

#### 11.21 Educational Leave

All permanent employees covered by this Agreement not participating in Wellness Leave shall be authorized to take one (1) course, including online courses, each academic session during the employee's regular work hours at any college within the Ventura County Community College District, or at any other accredited college or university, and will have release time of up to three and one-half (3-1/2) hours from the work assignment to allow for travel time and class attendance. Courses selected must be applicable to unfilled degree requirements, or must be job-skill related.

If the course selected by the employee requires more than three and one-half (3-1/2) hours a week attendance, including travel time, the employee shall make up the additional time missed from his/her job assignment within the same work week.

Requests by an employee to take a class require approval of the immediate supervisor and the college president. Requests for District Administrative Center employees require approval of the supervisor and the Vice Chancellor, Human Resources. All reasonable efforts shall be made by the supervisor to ensure equity in the approval and scheduling of educational leaves. All requests require final approval of the Vice Chancellor of Human Resources to ensure the requests conform to the provisions of this Article of the Agreement.

Certification of obtaining a "C" or better must be provided within six (6) weeks of completion of the course. Failure to complete the course or pass with a "C" or better will cause an ineligibility for study leave for one (1) year. An exception to this is withdrawal

from a course due to extenuating circumstances. A committee consisting of two (2) members of management appointed by the Chancellor and two classified employees appointed by the Union shall rule on requests for an exception based on a withdrawal due to extenuating circumstances. Exceptions will be granted by a majority vote.

All fees associated with enrollment in classes shall be borne by the employee. Enrollment fees for classes taken at VCCCD for professional development directly related to their position will be reimbursed by the District, subject to the conditions above. These include classes in a certificate or degree program that is part of professional development directly related to their position.

#### 11.22 Wellness Program Leave

All permanent employees covered by this Agreement not participating in Educational Leave, shall be authorized release time of up to three and one-half (3-1/2) hours per week from the work assignment to allow for travel time and attendance to participate in one monitored wellness program during each academic session during the employee's regular work hours at any college within the District. Classes may consist of physical fitness, well-being courses, or other approved monitored programs such as college health science, dieting, substance abuse, in-service training and utilization of fitness centers at each college.

Requests by an employee to participate in a wellness program require approval of the immediate supervisor and the college president. Requests for District Administrative Center employees require approval of the supervisor and the Vice Chancellor, Human Resources. All reasonable efforts shall be made by the supervisor to ensure equity in the approval and scheduling of wellness program leaves. All requests require final approval of the Vice Chancellor of Human Resources to ensure the requests conform to the provisions of this Article of the Agreement.

#### 11.23 Retraining Leave

The District shall grant a leave with pay to an employee who is undergoing District-designated retraining and who meets all of the following conditions:

- a. Such retraining is for the purpose of permitting the employee to cope with the new technological methods of performing the existing duties of the employee's classification.
- b. The retraining is only offered at a formal institution of education or training institute, or manufacturer's school and is not available at times or locations that do not conflict with such employee's regularly scheduled shift.
- c. The employee has been employed by the District for at least three (3) consecutive years preceding the need for such retraining.
- d. The employee has not had a leave of absence for retraining during the preceding three (3)-year period.