

CHAPTER 26
MISCELLANEOUS ABSENCES WITH PAY

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CHAPTER 26

MISCELLANEOUS ABSENCES WITH PAY

1. ADMINISTRATIVE TIME OFF.

a. Approval of Administrative Time Off. Commanders who have identified a need for administrative time off (ATO) shall request, through the appropriate channels, the approval of the Office of the Commissioner.

b. Administrative Time Off-During State of Emergency.

(1) During a state of emergency, Title 2, California Code of Regulations (CCR) Section 599.785.5 states:

(a) Employees may be granted a paid leave of absence of up to five days by their appointing power when the employee works or resides in a county where a state of emergency has been proclaimed by the Governor and the appointing power determines that at least one of the following conditions exist:

1 The employee's normal place of business is closed temporarily, during the employee's normal work shift, due to the effects of the emergency.

2 The emergency effectively precludes the employee's ability to find reasonable routes of transportation from the employee's normal residence to the work place.

3 The emergency presents an immediate and grave peril to the employee's own safety, that of an employee's immediate family member, or the employee's principal residence.

4 The employee is actively involved in a formal, organized effort to protect the health and safety of the general public; such as, the employee is a member of the auxiliary fire or police department or the employee is asked by local authorities to assist with sandbagging efforts.

5 The employee needs to take time off to apply for disaster assistance from the Federal Emergency Management Agency (FEMA) because the employee is unable to apply for assistance before or after the employee's normal work shift.

(b) An employee may be granted a paid leave of absence up to five days by the employee's appointing power regardless of the location of the disaster when the employee is preregistered with, and providing volunteer services to, a state agency carrying out its responsibilities under the Governor's Executive Order D-25-83. The employees providing volunteer service are required to notify their appointing power of their affiliation with the volunteer services and to establish prior arrangements regarding the notification of the appointing power in the event the employee is asked to participate in the state disaster response. The appointing power shall release the employee to provide volunteer service when an emergency occurs unless there is a critical departmental operating reason to prevent such a release.

(c) No paid leave of absence shall exceed five working days without the prior approval of the appointing power and the prior approval of California Department of Human Resources (CalHR). The CalHR shall grant approval of a paid leave of absence in excess of five working days based on its finding that one of the criteria above continues to be met.

(d) State employees called into service by the Office of Emergency Services as specified in Government Code (GC) Section 19844.5 are excluded from the above standards.

(2) When notification is received from CalHR that the Governor has declared a state of emergency, the use of ATO shall be approved by the Office of the Commissioner. The determination shall be made on a case-by-case basis.

c. Attendance Reporting.

(1) For employees whose attendance is reported on the CHP 71, Attendance Report, enter the number of hours used in the MISC OFF column with the notation "**ATO**" entered in the REMARKS column.

(2) For employees whose attendance is automated, refer to Highway Patrol Manual (HPM) 40.71, CHP 415 User's Manual, Chapter 4, Regular Work Shift, for reporting procedures.

d. Relocation Administrative Time Off. Designated managers who relocate to a new assignment due to a transfer or promotion may be granted up to five working days of ATO by the appropriate commander in order to move or attend to details associated with moving (i.e., locate housing, schools, sign mortgage or lease agreements). The time allowed need not be consecutive days. Supervisory personnel who have been offered and accepted a promotion to a managerial position may be granted ATO prior to the effective date of promotion.

e. Attendance Reporting.

(1) Enter the number of hours used in the MISC OFF column with the notation “**RELOCATION ATO**” entered in the REMARKS column.

(2) For employees whose attendance is automated, refer to HPM 40.71, Chapter 4, for reporting procedures.

2. COUNSELING. A departmental employee may be required to take time off for mandatory counseling as a result of a job-related traumatic incident.

a. Attendance Reporting.

(1) For employees whose attendance is reported on the CHP 71, enter the appropriate number of hours in the MISC OFF column and enter the notation “**C**” in the REMARKS column.

(2) For employees whose attendance is automated, refer to HPM 40.71, Chapter 4, for reporting procedures.

3. COURT WITNESS.

a. Court Cases-By or On Behalf of the Department. When called as a witness in a court case by or on behalf of the Department, an employee may be absent with pay, and transportation and travel expenses shall be furnished by the Department.

b. Court Cases-Party to Suit or Expert Witness Not Serving Interest of the State. The employee retains all court fees and the absence is without pay unless vacation, annual leave, compensating time off (CTO), personal leave program (PLP), or holiday credit is charged to cover the absence.

c. Other Court Cases. When an employee is subpoenaed to appear as a witness in a matter other than one arising from official duties, the absence shall be with pay.

(1) All witness fees (except personal travel expense reimbursements) will be remitted to the Fiscal Management Section.

(2) When an employee does not remit such fees, vacation, annual leave, CTO, PLP, holiday credit, or dock will be charged for the absence.

(3) When an employee receives witness fees in excess of regular earnings, the employee may keep such fees and the absence shall be without pay unless

vacation, annual leave, CTO, PLP, or holiday credit is charged to cover the absence.

d. Court Witness While on Vacation, Annual Leave, Compensating Time Off, Personal Leave Program, or Holiday Credit. If an employee appears as a subpoenaed witness on a holiday which is not a regularly assigned work day, or while absent on vacation, annual leave, CTO, PLP, or holiday credit, the witness fee is not remitted to the state. The court obligation is considered as being performed on the employee's own time.

e. Shift Employee. An employee regularly assigned to work a shift other than day shift may be temporarily assigned to the day shift during the periods of absence to be a witness. The determination of whether the absence is with or without pay is then made according to paragraphs 3.a. through 3.d. of this section.

f. Attendance Reporting.

(1) For employees whose attendance is reported on the CHP 71, enter the appropriate number of hours in the MISC OFF column and enter the notation "**SW**" in the REMARKS column.

(2) For employees whose attendance is automated, refer to HPM 40.71, Chapter 4, for reporting procedures.

(3) An STD. 634, Absence and Additional Time Worked Report, shall be submitted in duplicate to Human Resources Section (HRS), Personnel Transactions Unit (PTU), showing:

(a) The dates and hours absent.

(b) Disposition of the witness fee.

(c) If fee retained, how absence is to be charged.

4. DONOR LEAVE.

a. Effective January 1, 2003, GC Section 19991.11 grants an eligible employee paid leave for the purpose of donating an organ or bone marrow. An employee who donates an organ to another person is eligible for up to 30 work days of Donor Leave in any one-year period. An employee who donates bone marrow to another person is eligible for up to five work days of Donor Leave in any one-year period.

(1) Work days are defined as eight hours for full-time employees and are proportional for part-time employees (i.e., four hours for half-time employees).

(2) The one-year period is measured from the date the employee's leave begins and shall consist of 12 continuous months.

(3) Paid holidays are included in the 30- or 5-day Donor Leave period.

b. Any period of time during which an employee is required to be absent by reason of being an organ or bone marrow donor is not a break in continuous service for the purpose of the employee's right to salary adjustments, sick leave, vacation, annual leave, or seniority.

c. Eligible Employee.

(1) Excluded Employee.

(a) Donor Leave is available to all permanent and probationary excluded employees.

(b) Intermittent, daily, hourly, and temporary employees are eligible for Donor Leave if they are scheduled to work when they become donors. If Donor Leave is approved, these employees will be paid for the time they would have worked during the six continuous calendar weeks following an organ donation or the single calendar week following a bone marrow donation.

(2) Represented Employee. Refer to the employee's bargaining unit (BU) contract.

d. Notice of Leave. Employees must provide written verification to their commander that they will be an organ or bone marrow donor and that there is a medical necessity for the donation.

e. Use of Leave Credits.

(1) Eligible employees must exhaust all available sick leave prior to using Donor Leave.

(2) Prior to donating an organ or bone marrow, a person may be required to undergo medical, psychological, or other tests. Donor Leave may not be used for these purposes. Absences for such purposes must be requested and approved in advance in the same manner as required to use sick leave or annual leave for sick leave purposes (refer to HPM 10.3, Personnel Transactions Manual, Chapter 21, Sick Leave and Bereavement Leave), and the time shall be deducted from the employee's accrued leave credits.

f. Attendance Reporting.

(1) For employees whose attendance is reported on the CHP 71, enter the appropriate number of hours in the MISC OFF column and enter the notation "**ORGAN DONOR**" or "**BONE MARROW DONOR**" in the REMARKS column.

(2) For employees whose attendance is automated, refer to HPM 40.71, Chapter 4, for reporting procedures.

g. Return to Work. If for medical reasons an employee is unable to return to work beyond the time or period granted following a donation, the employee is subject to existing leave and retirement provisions provided in the laws, rules, and collective bargaining agreements.

5. EMPLOYMENT INTERVIEWS.

a. An employee shall be allowed time off with pay for an employment interview scheduled during the employee's working hours with any department when the employee's name has been certified for a position from any state civil service employment list.

b. Departmental policy allows a reasonable amount of travel time up to eight hours for such interviews. If the employee is on vacation, annual leave, CTO, PLP, or holiday credit, no restoration of credits will be made.

c. Any expenses incurred are the responsibility of the employee.

d. Attendance Reporting.

(1) For employees whose attendance is reported on the CHP 71, enter the appropriate number of hours in the MISC OFF column and enter the notation "**EI**" in the REMARKS column.

(2) For employees whose attendance is automated, refer to HPM 40.71, Chapter 4, for reporting procedures.

6. FAMILY ACTIVITY LEAVE.

a. Represented Employee. Refer to the employee's BU contract.

b. Excluded Employee.

(1) Title 2, CCR Section 599.912 provides, subject to departmental operational needs and reasonable notice to the employee's supervisor, eligible employees

shall be permitted to attend family or school-related activities in which their child is participating including, but not limited to, plays, graduations, field trips, organized sports events, recitals, Scouts, 4-H, Junior Achievement, and Grange. Use of such leave shall not diminish the 40-hour leave entitlement provided under the Family School Partnership Act.

(2) Eligible leave credits include vacation, annual leave, CTO, PLP, or holiday credit. Sick leave credits cannot be used. If the employee has exhausted available leave credits, unpaid leave may be requested.

(3) Employees shall be permitted to use at least 20 hours per calendar year of family activity leave.

(4) An employee's child is defined as the employee's son, daughter, or any child for whom the employee stands "in place of a parent."

(5) Requests for leave shall be in accordance with departmental policies. The employee may be required to provide substantiation to support the request for family activity leave.

(6) Commanders shall consider requests to adjust work hours or schedules or consider other flexible arrangements to enable an employee to participate in such activities.

c. Attendance Reporting.

(1) For employees whose attendance is reported on the CHP 71, refer to HPM 10.3, Chapter 28, Attendance Reporting, Annex K, Instructions for Completing the CHP 71, Attendance Report, for reporting procedures.

(2) For employees whose attendance is automated, refer to HPM 40.71, Chapter 4, for reporting procedures.

7. FAMILY CRISIS LEAVE.

a. Represented Employee. Refer to the employee's BU contract.

b. Excluded Employee.

(1) Title 2, CCR Section 599.911 provides, subject to departmental operational needs and reasonable notice to the employee's supervisor, eligible employees shall be permitted to use accumulated leave credits to attend to family crisis situations. Family crisis situations include, but are not limited to, divorce

counseling, family or parenting conflict management, family-care urgent matters, and/or emergencies.

(2) Eligible leave credits include annual leave, vacation, CTO, PLP, and holiday credit. Where appropriate, sick leave credits may be used consistent with sick leave policies (refer to HPM 10.3, Chapter 21). Employees who have exhausted available leave credits may request unpaid leave.

(3) A family member is defined as the parent, spouse, domestic partner that has been certified with the Secretary of State's Office in accordance with Assembly Bill 26 (Chapter 588, Statutes of 1999), son, daughter, any child for whom the employee stands in place of a parent, grandchild, grandparent, brother, sister, or any person residing in the employee's immediate household.

(4) Requests for leave shall be made in accordance with departmental policies and, except in emergencies, shall be made with reasonable notice. The employee may be required to provide substantiation to support the request for family crisis leave.

(5) Commanders shall ensure that confidentiality is maintained.

(6) Commanders shall consider requests to adjust work hours or schedules, or consider other flexible arrangements to enable the employee to attend to family crisis situations.

c. Attendance Reporting.

(1) For employees whose attendance is reported on the CHP 71, refer to HPM 10.3, Chapter 28, Annex K, for reporting procedures.

(2) For employees whose attendance is automated, refer to HPM 40.71, Chapter 4, for reporting procedures.

8. FAMILY SCHOOL PARTNERSHIP ACT.

a. Labor Code (LC) Section 230.8 allows eligible employees to take up to 40 hours per calendar year, not exceeding eight hours in any calendar month of the year, to participate in activities at their child's school or licensed child day care facility.

b. Eligible Employee. An eligible employee is a parent, guardian, or grandparent having custody of one or more children in kindergarten, in grades 1-12, or attending a licensed child day care facility.

c. Notice of Leave.

(1) An eligible employee, prior to taking time off to participate in an activity at their child's school or licensed child day care facility, must give reasonable notice, as determined by the commander, of the planned absence.

(2) If both parents are employed at the same work location, only the parent who first requests the time is entitled to the provisions of LC Section 230.8. The other parent may request the time off subject to commander approval.

d. Use of Leave Credits.

(1) Employees shall use existing vacation, annual leave, CTO, PLP, or holiday credit to cover their planned absence.

(2) Unpaid leave may only be used with the consent of the commander.

e. Written Documentation. Employees, if requested by the commander, shall provide written documentation from the school or licensed child day care facility to verify participation on the specified date and time.

f. Attendance Reporting.

(1) For employees whose attendance is reported on the CHP 71, refer to HPM 10.3, Chapter 28, Annex K, for reporting procedures.

(2) There are no special attendance reporting guidelines for employees whose attendance is automated.

9. FUNERALS.

a. Funeral of an Active or Retired Employee.

(1) Refer to HPM 70.56, Flags, Funerals, and Special Services Manual, Chapter 3, Funerals.

(2) Refer to HPM 10.3, Chapter 24, Overtime, regarding overtime provisions in connection with attendance at funerals.

b. Attendance Reporting.

(1) For employees whose attendance is reported on the CHP 71, enter the appropriate hours in the MISC OFF column with the notation "**FATT**" in the REMARKS column.

(2) For employees whose attendance is automated, refer to HPM 40.71, Chapter 4, for reporting procedures.

10. HOLIDAY INFORMAL TIME OFF. The Governor may authorize informal time off (ITO) for all employees.

a. The number of hours for ITO is based on the employees' time base. Full-time employees are authorized 4 hours off. Part-time and intermittent employees are authorized 1 to 4 hours off.

b. All employees who are scheduled to work are eligible for ITO. This includes temporary hires such as seasonal employees and retired annuitants.

c. Fair Labor Standards Act-exempt employees (Work Week Groups E/SE) may either combine their ITO with paid leave to equal a full day off, or use their ITO to leave early after working a partial day.

d. Employees retain their ITO balances until the hours are actually used and are not lost when transferring between agencies.

e. Informal time off is not available for cash-out upon separation.

f. Informal time off does not count for overtime purposes.

g. Attendance Reporting.

(1) For employees whose attendance is reported on the CHP 71, enter the appropriate hours in the MISC OFF column with the notation "**HITO**" in the REMARKS column.

(2) For employees whose attendance is automated, refer to HPM 40.71, Chapter 4, for reporting procedures.

11. JURY DUTY (INCLUDING TRIAL JURIES AND GRAND JURIES).

a. General.

(1) Effective January 1, 1993, no peace officer, as defined in Section 830.1 and Subdivision (a) of Section 830.2 of the Penal Code, shall be selected for voir dire. This applies to both criminal and civil cases. While this excludes officers from being selected for voir dire, they are not excluded from being called for jury duty.

(2) Employees must serve on jury panels unless excused by the court under Section 204(b) of the Code of Civil Procedure. Section 204(b) provides that “An eligible person may be excused from jury service only for undue hardship, upon themselves or upon the public, as defined by the Judicial Council.” The California Judicial Council’s Standards of Judicial Administration (Rule 860) defines “undue hardship on the public” as a situation where “the prospective juror’s services are immediately needed for the protection of the public health and safety, and it is not feasible to make alternative arrangements to relieve the person of these responsibilities during the period of service as a juror without substantially reducing essential public services.”

b. Notification of Commander. Employees shall notify their commanders as soon as they learn they have been selected and are subject to being called to serve as jurors.

c. Exemption Requests. Requests to Jury Commissioners for exemption from jury duty by uniformed personnel shall be in writing, prepared on departmental letterhead, and jointly signed by the uniformed employee and the employee’s commander. (Refer to Annex A for suggested text for an exemption request.)

d. Grand Jury Service. All employees are encouraged to avoid participating in any grand jury committee where a conflict of interest might arise. As an example, California Highway Patrol employees should avoid evaluating the operations of other law enforcement agencies.

e. Absence With Pay. Nonuniformed employees may be absent with pay for jury duty. Uniformed employees may be absent with pay for jury duty provided they requested and were denied an exemption. State employees are not entitled to jury duty pay and will be instructed to complete a jury fee waiver when they report for jury duty. Reimbursement for mileage is not remitted to the Department.

f. Jury Duty While on Vacation, Annual Leave, Compensating Time Off, Personal Leave Program, Holiday Credit, or Regular Day Off. Employees who perform jury duty while off duty on scheduled vacation, annual leave, CTO, PLP, holiday credit, or a regular day off are considered as receiving their “regular compensation” and not entitled to jury fees.

g. Shift Employee. An employee regularly assigned to work a shift other than day shift may be temporarily assigned to the day shift during the periods of absence for jury duty. Represented employees should refer to their BU contract.

h. Attendance Reporting.

(1) For employees whose attendance is reported on the CHP 71, enter the appropriate hours in the MISC OFF column with the notation “**JD**” in the REMARKS column.

(2) For employees whose attendance is automated, refer to HPM 40.71, Chapter 4, for reporting procedures.

(3) An STD. 634 in duplicate shall be submitted to HRS, PTU, showing the dates and hours absent.

12. MENTORING LEAVE.

a. Represented Employees. Refer to the employee’s BU contract.

b. Excluded Employees.

(1) The State Employee Mentoring Program grants eligible full-time employees up to 40 hours of mentoring leave per calendar year to participate in mentoring activities once they have used an equal amount of their personal time for these activities. Mentoring leave is paid leave time, which may only be used by an employee to mentor. Mentoring leave does not count as time worked for purposes of overtime, and may not be used for travel to and from the mentoring location.

(2) To be eligible for mentoring leave, an employee must:

(a) Have a permanent appointment, or a probationary appointment, having successfully completed a probationary period in another class, obtaining permanent civil service status; and

(b) Have committed to mentor a child or youth (K-12) through a mentoring organization that meets the quality assurance standards, for a minimum of one school year. However, an exception to the school year commitment may be made based on individual mentor programs.

(3) An employee must use an equal number of hours of their personal time (approved annual leave, vacation, personal leave, personal holiday, or CTO during the work day and/or personal time during nonworking hours) prior to requesting mentoring leave. For example, if an employee requests two hours of mentoring leave, they must have used two verified hours of their personal time prior to receiving approval for the mentoring leave.

(4) Mentoring leave approvals shall be subject to verification of time spent mentoring and also to the operational needs of the Department. Requests to use leave credits are subject to commander approval.

(5) Permanent part-time and permanent intermittent (PI) employees, who have completed a civil service probationary appointment, may receive a prorated amount of mentoring leave based on their time base. For example, a half-time employee is eligible for 20 hours of mentoring leave per calendar year. An intermittent employee working a monthly equivalent of 160 hours may earn 3.33 hours of mentoring leave.

(6) Mentoring leave does not have to be requested in the same week or month as the personal time was used but must be requested and used before the end of the calendar year.

(7) Information about the Governor's Mentoring Partnership can be found at the California Volunteer's Web site at: <http://www.californiavolunteers.org>.

c. Attendance Reporting.

(1) For employees whose attendance is reported on the CHP 71, when the employee has used 40 hours of personal time for participating in mentoring leave duties and is entitled to paid leave, enter the appropriate hours in the MISC OFF column with the notation "**MENTORING LEAVE**" in the REMARKS column.

(2) For employees whose attendance is automated, refer to HPM 40.71, Chapter 4, for reporting procedures.

13. MILITARY LEAVE PAY PROVISION FOR 30 CALENDAR DAYS (172 HOURS).

a. Pursuant to GC Sections 19775 and 19775.1, state civil service employees are entitled to receive their state salary for the first 30 calendar days (including weekends) while on either long-term or short-term military leave for active duty, provided they meet the qualifying service criteria for the military leave taken.

b. Pursuant to GC Section 19775.2, pay for these purposes shall not exceed 30 calendar days in any one fiscal year.

c. An employee entitled to military pay for 30 calendar days (172 hours) shall remain on payroll.

d. Attendance Reporting.

(1) For employees whose attendance is reported on the CHP 71, when an employee remains on payroll for the 30-day (172 hours) pay provision, enter the number of hours in the MISC OFF column with the notation “**ML**” in the REMARKS column. Refer to HPM 10.3, Chapter 8, Leave of Absence, and HPM 10.3, Chapter 28, Annex K.

(2) For employees whose attendance is automated, refer to HPM 40.71, Chapter 4, for reporting procedures.

14. OUT-SERVICE TRAINING. The Department will provide out-service training for its employees in areas that are not covered by other departmental training programs. Refer to HPM 70.13, Departmental Training Manual, Chapter 8, Out-Service Training, for guidelines regarding out-service training.

a. Attendance Reporting.

(1) For employees whose attendance is reported on the CHP 71, enter the appropriate number of hours in the MISC OFF column with the notation “**OST**” in the REMARKS column.

(2) For employees whose attendance is automated, refer to HPM 40.71, Chapter 4, for reporting procedures.

15. PROFESSIONAL DEVELOPMENT DAYS.

a. Effective November 2, 2010, eligible employees receive two days per fiscal year for activities such as professional association activities, professional and/or personal development seminars, etc. Employees in BU 2 receive five days per fiscal year. Professional Development Days (PDD) are intended to promote professional and/or personal growth and to enhance professional and/or personal goals. These activities are at the employee’s expense and, therefore, the choice of activity is at the employee’s discretion.

b. Eligible Employees.

(1) Employees in BUs 1, 2, 4, 7, 9, 12, 13, 14, 15, 16, 20, as well as excluded and exempt employees associated with these BUs.

(2) Retired annuitants, statutory exempt, collective bargaining identifier E-Designated classes are **not** eligible.

c. Days/Hours Received.

- (1) Full-time employees (excluding BU 2) receive two PDDs each fiscal year.
- (2) Full-time employees in BU 2 receive five PDDs each fiscal year.
- (3) Part-time employees shall receive PDD on a prorated basis. The proration shall be determined based on the employee's time base. A part-time employee that holds more than one position shall receive no more than eight hours per PDD.
- (4) Permanent intermittent employees are eligible for PDD on a prorated basis based on the hours worked during the pay period of usage. A PI that holds more than one position shall receive no more than eight hours per PDD.

d. Use of Professional Development Days.

- (1) Employees in BU 12 and eligible excluded and exempt employees shall use PDD in whole day increments.
- (2) Employees in BUs 1, 2, 4, 7, 13, 14, 15, 16, and 20 can use PDD in hourly increments. Employees in Work Week Group E cannot charge absences in less than whole day increments.
- (3) Employees in BU 9 can use PDDs in 15-minute increments.
- (4) The PDD must be used within the fiscal year it is granted and not accumulated or cashed out.
- (5) The PDD cannot be donated or transferred for other leave types.
- (6) The PDD may be used to supplement State Disability Insurance, Nonindustrial Disability Insurance, and Industrial Disability Leave.
- (7) The PDD time shall be requested and approved in the same manner as vacation/annual leave. Supervisors should not request documentation for PDD.

e. Attendance Reporting.

- (1) For employees whose attendance is reported on the CHP 71, refer to HPM 10.3, Chapter 28, Annex K, for reporting procedures.

16. STATE CIVIL SERVICE EXAMINATIONS. If scheduled during the employee's working hours and upon giving two days' notice to the supervisor, an employee shall be allowed reasonable time to be absent with pay to take a state civil service written and/or oral examination or to attend a State Personnel Board (SPB) hearing of the employee's

appeal from the rating attained in an examination. If the employee is on vacation, annual leave, CTO, PLP, or holiday credit, no restoration of credits will be made. Any expenses incurred are the responsibility of the employee.

a. Attendance Reporting.

(1) For employees whose attendance is reported on the CHP 71, enter the appropriate number of hours in the MISC OFF column with the notation “**CSX**” in the REMARKS column.

(2) For employees whose attendance is automated, refer to HPM 40.71, Chapter 4, for reporting procedures.

17. STATE PERSONNEL BOARD HEARINGS. If scheduled during an employee’s working hours and upon giving two days’ notice to the supervisor, an employee may be absent with pay to attend a meeting of the SPB affecting the employee’s position at which the employee requested to be heard. If the employee is on vacation, annual leave, CTO, PLP, or holiday credit, no restoration of credits will be made.

a. Attendance Reporting.

(1) For employees whose attendance is reported on the CHP 71, enter the appropriate number of hours in the MISC OFF column with the notation “**SPBH**” in the REMARKS column.

(2) For employees whose attendance is automated, refer to HPM 40.71, Chapter 4, for reporting procedures.

18. STATEWIDE ELECTION DAY.

a. Provisions for Time Off.

(1) In accordance with Sections 14000 and 14001 of the California Election Code, employees may be granted a maximum of two hours of work time to vote provided there is insufficient time to vote outside of working hours.

(2) As much time off as is needed to vote may be granted, but only a maximum of two hours will be paid.

(3) Time off shall be granted only at the beginning or end of the regular work shift to allow for the most free time for voting and the least time off from the regular work shift.

(4) Employees shall give at least two working days' notice of the intent to take time off to vote.

b. Employer Responsibility. At least ten days before a statewide election, the above provision shall be prominently posted on office bulletin boards accessible to all employees.

c. Attendance Reporting.

(1) For employees whose attendance is reported on the CHP 71, enter the appropriate number of hours in the MISC OFF column with the notation "**VOTING**" in the REMARKS column.

(2) For employees whose attendance is automated, refer to HPM 40.71, Chapter 4, for reporting procedures.

19. WOUNDED WARRIORS TRANSITIONAL LEAVE ACT. Eligible state employees that were hired on or after January 1, 2016, will be granted 96 hours of sick leave to be used for the treatment of a military service-connected disability.

a. Eligible Employee. The employee must be a military veteran with a military service-connected disability rated at 30 percent or more by the United States Department of Veterans Affairs.

b. Written Verification.

(1) To receive the sick leave credit the employee must submit a verification letter to HRS, PTU.

(2) A verification letter can be obtained from any United States Department of Veterans Affairs office, accessing a Veterans Affairs eBenefits account, or calling (800) 827-1000.

c. Use of Leave Credits.

(1) The 96 hours of sick leave shall be credited and available for use by the qualifying employee on their first day of employment.

(2) The sick leave shall remain available for use for the following 12 months, and any unused hours will expire thereafter.

d. Attendance Reporting.

(1) For employees whose attendance is reported on the CHP 71, enter the appropriate number of hours in the MISC OFF column with the notation "**WWSL**" in the REMARKS column.

(2) For employees whose attendance is automated, refer to HPM 40.71, Chapter 4, for reporting procedures.

20. VICTIMS OF DOMESTIC VIOLENCE LEAVE ACT.

a. Labor Code Sections 230 and 230.1 allow an employee who is a victim of domestic violence to take time off using available leave credits for the following:

(1) To obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of a domestic violence victim or the victim's child.

(2) To seek medical attention for injuries caused by domestic violence.

(3) To obtain services from a domestic violence shelter, program, or rape crisis center.

(4) To obtain psychological counseling related to an experience of domestic violence.

(5) To participate in safety planning and take other actions to increase safety from future domestic violence, including temporary or permanent relocation.

b. Confidentiality. To the extent allowed by law, the confidentiality of any employee requesting leave for domestic violence shall be maintained.

c. Notice of Leave. The employee shall give reasonable advance notice, unless the advance notice is not feasible.

d. Written Verification. Employees shall provide written verification for a planned absence. When the absence is unscheduled, verification shall be provided in a reasonable time after the absence. Verification shall be in the form of any of the following:

(1) A police report indicating that the employee was a victim of domestic violence.

(2) A court order protecting or separating the employee from the perpetrator of an act of domestic violence, or other evidence from the court or prosecuting attorney that the employee appeared in court.

(3) Documentation from a medical professional, domestic violence advocate, health care provider, or counselor the employee was undergoing treatment for

physical or mental injuries or abuse resulting in victimization from an act of domestic violence.

- e. Use of Leave Credits. Employees may use vacation, annual leave, CTO, PLP, or holiday credit to cover their absence, unless otherwise provided by a collective bargaining agreement.

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ANNEX A

SUGGESTED TEXT FOR EXEMPTION REQUEST

State of California—Transportation Agency

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

P.O. Box 942898
Sacramento, CA 94298-001
(916) 843-3000
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)



(Date)

File No.: (Enter File Number)

Jury Commissioner
Street Address
City, State Zip Code

You recently called upon me to serve as a trial juror in **(name of court)** commencing **(date of jury service)**. I am hereby requesting to be excused from jury service pursuant to Rule 860 of the Judicial Council's Standards of Judicial Administration.

I am a peace officer employed by the California Highway Patrol and am assigned to **(name of command)**. The nature of my work relates directly to the health and safety of the public, and I believe that the public would be better served by my presence at work than by my participation as a juror in a civil trial.

(print name)
Prospective Juror

(sign name)
Prospective Juror

(signature)
Commander

Safety, Service, and Security



An Internationally Accredited Agency

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