

790 CASUAL ABSENCES FOR UNREPRESENTED EMPLOYEES

Education Code Section

88080. (a) The commission shall prescribe and, amend, and interpret subject to this article, such rules as may be necessary to insure the efficiency of the service and the selection and retention of employees upon a basis of merit and fitness. The rules shall not apply to bargaining unit members if the subject matter is within the scope of representation, as defined in Section 3543.2 of the Government Code, and is included in a negotiated agreement between the governing board and that unit. The rules shall be binding upon the governing board, but shall not restrict the authority of the governing board provided pursuant to other sections of this code.

(b) No rule or amendment which would affect classified employees who are represented by a certified or recognized exclusive bargaining representative shall be adopted by the commission until the exclusive bargaining representative and the community college employer of the classified employees who would be affected have been given reasonable notice of the proposal.

- A. Division heads, college presidents, or their designated representatives may grant regular unrepresented employees permission to be absent with pay provided that:
1. the absence is not more than four hours of an employee's workday.
 2. good reason for such absence exists.
 3. the work of the department shall not be significantly impeded by the absence.
 4. this power shall not be construed as a right to repeatedly reduce the employee's established working time.
- B. Subject to conditions of paragraph A.3. above, supervisors are required to grant regular unrepresented employees' permission to be absent with pay for a maximum of one full day or two half days per year for the purpose of obtaining a comprehensive annual physical examination and one half day (four hours) per year for the purpose of obtaining a comprehensive eye examination provided that such examination is verified by a licensed physician or other recognized practitioner on a prescribed form.
- C. None of the privileges referred to above shall apply to absences in excess of two hours for which salary benefits are provided in other rules or to employees.