

Absence from Work

Notice of Absence

Any staff member who finds it necessary to be absent from work must give proper and prompt notice of that absence. This includes absences for Assault Leave, Bereavement Leave, Court Leave, Family and Medical Leave, Military Leave, Personal Leave, Professional Leave, Sick Leave, and Vacation Leave.

Notice of absence must be made prior to the staff member missing work.

Proper and prompt notice of absence requires the following contacts:

1. Rachel Wixey & Associates (RWA) – 1-877-977-9999 – Staff are to contact RWA to report their absence and request a substitute. The call may be made 24/7.
2. Supervisor
This must be a telephone call. The information you should relay when reporting your absence is: your name, work location, assignment, date(s), length of your absence, and the reason for your absence. *Example: This is Joe Smith. I am the MD teacher at Griswold Junior High School. I will be absent for one day on (date) because of (reason). I will be taking (type of leave) for this time.*
3. Classroom Colleague (if applicable)
This must be a telephone call to let your colleague know that you will be absent and that he/she may need to make other arrangements to cover students, and/or develop alternate learning activities. This call will help us continue to offer quality programs in your absence.
4. Housing District
This must be a telephone call to let the building principal/district administrator know that you will be absent from work and that a substitute will be in to cover your classes or that the services you provide will not be available that day.
5. Employee Absence Reporter (Employee Kiosk)
This must be completed on-line either prior to or on the day the staff member returns to work depending on the type of leave requested. (Note: In instances of Sick Leave where the employee is going to be absent for more than three consecutive days he/she should submit a sick leave request by the third day.) The staff member must properly complete and submit the appropriate leave request on-line through your Employee Kiosk account.

Please note that the Employee Kiosk does not arrange for your substitute. If an employee needs to cancel or change a leave date, he/she must submit the change through the Employee Kiosk and notify his/her supervisor.

Kiosk requests should be submitted and approved in advance. When this is not possible, leave requests must be submitted the day the staff member returns to work. Please be advised that falsifying leave and/or failing to submit leave are unacceptable and subject to disciplinary action, up to and including termination.

Leaving work early will be charged to an employee's personal leave and/or subject to pay dockage as determined by the Superintendent. In addition, leaving work early may result in disciplinary action, up to and including termination.

Leaves

Center staff members are expected to report to work on all scheduled workdays unless they have been granted leave. Employees must qualify for the leave they are requesting and submit leave forms in a timely fashion (i.e., either prior to or on the day of the staff member's return to work, depending on the type of leave requested). Unauthorized leave will not be compensated and misuse of leave or failure to follow Center guidelines for leave will result in disciplinary action, up to and including termination.

Staff members are responsible for knowing the amount of leave time they have.

Employees requesting leave must follow the procedures described in *Absence from Work* and in *Leaves*.

Any scheduled leave will be charged against the employee's leave balance irregardless of weather-related or emergency cancellations by the employee's assigned district or the Center.

For the purposes of this policy (except FMLA), any leave taken that applies to immediate family will be defined as parents, grandparents, spouse, children, grandchildren or siblings and extends to include the same relatives of the staff member's spouse.

If it becomes necessary for a staff member to change or cancel a leave request, he/she must notify his/her supervisor and submit a new request through the Employee Kiosk. Any leave cancellation/change must be submitted as soon as possible but no later than two days before/after the scheduled absence. Failure to comply with this directive will result in the employee's leave being charged to the original date.

Assault Leave

A staff member who must be absent from work because of a disability resulting from a school related assault shall be granted leave with pay (without deduction from sick leave) for a period of time not to exceed fifteen (15) days. Said disability must be physical in nature and be medically verified as severe enough to render the employee incapable of performing his/her assigned duties (in cases where the disability is in dispute, a medical board made up of three independent physicians certified in the field of medicine most appropriate to care for the specific disability shall decide). Due to extenuating circumstances, Assault Leave may be extended beyond fifteen days with the permission of the Superintendent.

To qualify for Assault Leave, the incident must be school related; the staff member must apply for Assault Leave within twenty-four (24) hours of the assault or as soon thereafter as possible; and the staff member must cause a criminal complaint to be filed against his/her assailant and cooperate fully with the criminal justice system in prosecuting the case.

Should a court of competent jurisdiction find a staff member guilty of a school related assault, appropriate disciplinary action will take place and the employee will be expected to reimburse the Center if Assault Leave was granted.

Bereavement Leave

A staff member may be granted up to three (3) days paid leave upon the death of a member of the employee's immediate family. Additional days may be extended by the Superintendent because of grieving, related responsibilities and/or extenuating circumstances. Final determination for bereavement use will be made by the Superintendent. If bereavement days are extended beyond the three days, it will be deducted from the employee's sick leave, and if necessary, personal leave. For the purposes of Bereavement Leave, immediate family is defined as parents, grandparents, spouse, children, grandchildren or siblings and extends to include the same relatives of the staff member's spouse.

With the death of an individual who is not part of the staff member's immediate family, the administration will determine the appropriate leave to be charged (i.e., Sick Leave or Personal Leave). A maximum of one (1) day will be approved in each instance, provided the employee has accumulated leave.

Requests for Bereavement Leave must be filed in advance (except in cases of emergency) and approved by the Assistant Superintendent for Programs and Personnel and Superintendent. In cases of emergency, the employee should call his/her Assistant Superintendent for Programs and Personnel.

Court Leave

A staff member who is required to be absent from work due to jury duty will receive his/her regular compensation less pay received from the court. Staff members are required to submit a copy of the check they receive for serving as a juror to the Treasurer's Office. Said procedure will ensure the employee does not pay double taxes and does not violate state law with regard to compensation.

Any employee requesting Court Leave must send a copy of the subpoena/court papers to the Treasurer's Office.

When possible, Court Leave should be filed in advance.

A staff member who is absent from work due to a court proceeding or administrative hearing that is not directly related to his/her employment must apply for Personal Leave.

Family and Medical Leave

To be eligible for FMLA leave an employee must work for the Center for a total of 12 months and have worked for the Center at least 1,250 hours over the previous twelve months.

In accordance with the provisions of the Family and Medical Leave Act, the Center extends up to twelve (12) weeks in a twelve-month period of leave to eligible employees:

- for the birth and care of a newborn child of the employee;
- for placement with the employee of a son or daughter for adoption or foster care;
- to care for a spouse, son, daughter, or parent with a serious health condition;
- to take medical leave when the employee is unable to work because of a serious health condition; or

- for qualifying exigencies arising out of the fact that the employee’s spouse, son, daughter, or parent is on active duty or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation.

The Center will also grant an eligible employee who is a spouse, son, daughter, parent, or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness up to a total of 26 workweeks of unpaid leave during a “single 12-month period” to care for the service member.

Spouses employed by the Center are limited in the amount of family leave they may take for the birth and care of a newborn child, placement of a child for adoption or foster care, or to care for a parent who has a serious health condition to a combined total of 12 weeks (or 26 weeks if leave to care for a covered servicemember with a serious injury or illness is also used). Leave for birth and care, or placement for adoption or foster care, must conclude within 12 months of the birth or placement. Under some circumstances, employees may take FMLA leave intermittently – taking leave in separate blocks of time for a single qualifying reason – or on a reduced leave schedule – reducing the employee’s usual weekly or daily work schedule. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer’s operation. If FMLA leave is for birth and care, or placement for adoption or foster care, use of intermittent leave is subject to the employer’s approval.

The Center uses a rolling method with FMLA leave.

To be eligible for FMLA benefits, an employee must:

- work for a covered employer;
- have worked for the employer for a total of 12 months;
- have worked at least 1,250 hours over the previous 12 months; and
- work at a location in the United States or in any territory or possession of the United States where at least 50 employees are employed by the employer within 75 miles.

Staff members must submit FMLA leave requests on the Governing Board forms thirty (30) days in advance. Employees who fail to adhere to this rule will have their checks held until such time that the forms have been submitted, reviewed, and processed.

Military Family Leave Entitlements

Military Caregiver Leave: A covered employer must grant an eligible employee who is a spouse, son, daughter, parent, or next of kin of a covered servicemember with a serious injury or illness up to a total of 26 workweeks of unpaid leave during a “single 12-month period” to care for the servicemember. A covered servicemember is a current 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. A serious injury or illness is one that was incurred by a servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his/her office, grade, rank, or rating. The “single 12-month period” for leave to care for a covered servicemember with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12-month period established by the employer for other types of FMLA leave. An eligible employee is limited to a combined total of 26 workweeks of leave for any FMLA-

qualifying reason during the “single 12-month period”. (Only 12 of the 26 weeks total may be for a FMLA-qualifying reason other than to care for a covered servicemember.)

Qualifying Exigency Leave: A covered employer must grant an eligible employee up to a total of 12 workweeks of unpaid leave during the normal 12-month period established by the employer for FMLA leave for qualifying exigencies arising out of the fact that the employee’s spouse, son, daughter, or parent is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation. Under the terms of the statute, qualifying exigency leave is available to a family member of a military member in the National Guard or Reserves; it does not extend to family members of military members in the Regular Armed Forces.

Qualifying exigencies include:

- Issues arising from a covered military member’s short notice deployment (i.e., deployment on seven or less days of notice) for a period of seven days from the date of notification;
- Military events and related activities, such as official ceremonies, programs, or events sponsored by the military or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member;
- Certain childcare and related activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis, enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or a day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member;
- Making or updating financial and legal arrangements to address a covered military member’s absence;
- Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or the child of the covered military member, the need for which arises from the active duty or call to active duty status of the covered military member;
- Taking up to five days of leave to spend time with a covered military member who is on short-term temporary, rest and recuperation leave during deployment;
- Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of 90 days following the termination of the covered military member’s active duty status, and addressing issues arising from the death of a covered military member;
- Any other event that the employee and employer agree is a qualifying exigency.

FMLA leave may be taken intermittently whenever medically necessary to care for a covered servicemember with a serious injury or illness. FMLA leave also may be taken intermittently for a qualifying exigency arising out of the active duty status or call to active duty of a covered military member. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer’s operation.

Be advised that the Center has the authority and will assign employees to FMLA leave.

Serious Health Condition

“Serious health condition” means an illness, injury, impairment, or physical or mental condition that involves either:

- Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility, including any period of incapacity (i.e., inability to work, attend school, or perform other regular daily activities) or subsequent treatment in connection with such inpatient care; or
- Continuing treatment by a health care provider, which includes:
 1. A period of incapacity lasting more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also includes:
 - treatment two or more times by or under the supervision of a health care provider (i.e., in-person visits, the first within 7 days and both within 30 days of the first day of incapacity); or
 - one treatment by a health care provider (i.e., an in-person visit within 7 days of the first day of incapacity) with a continuing regimen of treatment (e.g., prescription medication, physical therapy); or
 2. Any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence; or
 3. Any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visits (at least twice a year) to a health care provider, and may involve occasional episodes of incapacity. A visit to a health care provider is not necessary for each absence; or
 4. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment; or
 5. Any absences to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three days if not treated.

Employee Notice

Employees seeking to use FMLA leave are required to provide 30-day advance notice of the need to take FMLA leave when the need is foreseeable and such notice is practicable. If leave is foreseeable less than 30 days in advance, the employee must provide notice as soon as practicable – generally, either the same or next business day. When the need for leave is not foreseeable, the employee must provide notice to the employer as soon as practicable under the facts and circumstances of the particular case. Absent unusual circumstances, employees must comply with the employer’s usual and customary notice and procedural requirements for requesting leave.

Employees must provide sufficient information for an employer reasonably to determine whether the FMLA may apply to the leave request. Depending on the situation, such information may include that the employee is incapacitated due to pregnancy, has been hospitalized overnight, is unable to perform the functions of the job, and/or that the employee or employee’s qualifying family member is under the continuing care of a health care provider.

Employees seeking to use military caregiver leave must provide 30 days advance notice of the need to take FMLA leave for planned medical treatment for a serious injury or illness of a covered servicemember. If leave is foreseeable but 30 days advance notice is not practicable, the employee

must provide notice as soon as practicable – generally, either the same or next business day. An employee must provide notice of the need for foreseeable leave due to a qualifying exigency as soon as practicable. When the need for military family leave is not foreseeable, the employee must provide notice to the employer as soon as practicable under the facts and circumstances of the particular case. Generally, it should be practicable to provide notice for unforeseeable leave within the time prescribed by the employer's usual and customary notice requirements.

While the Center will make every effort to provide FMLA leave for qualified employees, it is essential that proper notice be given. An employee who fails to give proper notice may be denied FMLA leave.

Be advised that the Center has the authority and will assign employees to FMLA leave.

Leave Exclusions

FMLA leave will not be granted for voluntary or cosmetic treatments, such as orthodontia or acne, which are not medically necessary and are not considered serious health conditions. Minor illnesses that last only a few days and surgical procedures that do not involve hospitalization and require only a brief recovery period do not qualify under FMLA. Complications that arise out of these procedures may develop into a "serious health condition" that would qualify the employee for an FMLA leave.

Certification

The Center requires an employee to submit certification from a health care provider to substantiate that the leave is due to a serious health condition of the employee or the employee's immediate family member.

In most cases, the staff member should furnish medical certification at the time the leave is requested or, in the case of an emergency, as soon as possible after the leave has started. For normal requirements, an employee is expected to provide medical certification within 15 days of making application for an FMLA leave.

If an employee fails to provide a medical certification within a reasonable time, the Center may deny the leave. If an employee who has taken a leave on an emergency basis fails to supply the medical certification within the reasonable time under the pertinent circumstances, his/her continuation of leave may be denied.

If the Center questions the validity of a medical certification, it may require the staff member to obtain a second opinion at Center expense. If the opinion of the employee's and the employer's designated health care providers differ, the Center may require the employee to obtain certification from a third health care provider, again at Center expense. This third opinion will be final and binding on both the Center and the employee.

The Center requires that an employee's request for military family leave be supported by an appropriate certification.

- Leave for a qualifying exigency must be supported by a copy of the covered military member's active duty orders and certification providing the appropriate facts related to the particular qualifying exigency for which leave is sought, including contact information if the leave involves meeting with a third party.
- Leave to care for a covered servicemember with a serious injury or illness must be supported by a certification completed by an authorized health care provider or by a copy of an

Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA) issued to any member of the covered servicemember's family.

Determining Paid or Unpaid Leave

FMLA leave is unpaid. However, the Center requires employees to substitute paid sick, personal and vacation leave for all or part of any unpaid FMLA leave.

Example: If an employee is entitled to three weeks paid vacation, he/she must count this total towards the 12-week entitlement.

Continuation of Benefits

Employees on FMLA leave are entitled to have health benefits maintained while on leave. The Center's and the employee's shares of health plan premiums will be paid in the same manner customarily used. The Center will continue to pay its share of the health plan premiums throughout the leave, while the employee will be expected to pay according to a signed agreement, which will be executed prior to the leave.

The Center will provide a 30-day grace period after the agreed upon date for payment within which the employee may make payment of the premium. If an employee does not make payment within the grace period, his/her health coverage may be terminated. All other benefits, such as group life insurance, disability insurance, sick leave, educational benefits and pensions will remain in effect throughout the FMLA leave.

Recovering Premiums

The Center will recover premiums it has paid for maintaining group health plan coverage if the employee fails to return to work after the leave entitlement expired, unless the reason the employee does not return to work is due to:

- the continuation, recurrence or onset of a serious health condition affecting the employee or an immediate family member;
- a sudden change in the employee's circumstances during leave; or
- an employee on FMLA leave was laid off.

In the absence of any of these conditions, the Center reserves the right to recover its share of health premiums by deducting the amount due from any sums owed to the employee in vacation pay, a final check, etc.

An employee who does not return to work within 30 calendar days after the leave expires is considered to have failed to "return" to work under guidelines set by the FMLA.

Determining the Leave Year

The Center will use a "rolling" method to determine the 12-month leave period. Each time an employee takes FMLA leave, the remaining leave entitlement would be any balance of the 12 weeks, which has not been used during the period of the immediately preceding 12 months.

Leave Restrictions

An employee's entitlement to FMLA leave for birth or placement of a child expires 12 weeks after the birth or placement. A husband and wife working for the Center are limited to a combined total of 12 work weeks during any 12-month period if leave is taken for birth or placement for adoption or foster care, or to care for a parent with a serious health condition.

This limitation does not apply to leave taken by either spouse to care for the other who is seriously ill and unable to work, to care for a child with a serious health condition or for his/her own serious illness.

Intermittent or Reduced Leave Schedules

Under certain conditions, the Center will allow employees to take intermittent leave or work on reduced schedule. "Intermittent leave" is leave taken in separate blocks of time rather than one continuous period of time. It may range from an hour or more to several weeks. The Center will allow intermittent leave to be taken on an occasional basis for medical appointments, or leave taken several days at a time spread over a period of months.

A "reduced leave schedule" is one that reduces the usual number of hours/days per workweek or hours per workday. It could include a schedule of a three-day week, or working only mornings or afternoons, to meet the employee's requirements.

The Center does not set a limit on the size of an increment of leave for an intermittent or reduced leave schedule. This type of leave will not reduce the total amount of leave available to an employee. Only the time actually taken is charged against the employee's entitlement to 12 weeks of leave.

Employee Transfer

If an employee selects intermittent leave or a reduced work schedule, the Center has the right to transfer him/her to a job that is more suitable to recurring periods of leave. There are two conditions for this transfer:

- The equivalent position must have equivalent pay and benefits, but it does not have to have equivalent duties.
- The employee must be qualified to perform the job.

The Center reserves the right to make such a transfer, with or without the employee's permission.

An alternative position must meet the provisions of the Americans with Disabilities Act (ADA) if the employee meets the definition of disabled.

Restoration to Prior Position

The Center will restore an employee to the position he/she held when the leave began, or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment. An equivalent position will involve the same or substantially similar duties and responsibilities, and must include substantially equivalent skill, effort, responsibility and authority.

The employee is also entitled to be returned to the same equivalent schedule.

If special qualifications are required for the position, and they have lapsed during the employee's leave, he/she will be given a reasonable opportunity to fulfill the requirements after returning to work.

If the employee's original work site has been closed or moved, and other employees were transferred to another work site, the employee will have the same rights for transfer as would have been available had the employee not taken leave.

Reduction-in- Force

The Center will not offer any special protection to employees who are on FMLA leave at the time of a layoff. Administrators will make the same decisions that they would have made if the employees had not been on FMLA leave.

Communications During Leave

Supervisors will contact employees who are on family leave to check on their status and intention to return to work, but not more than once every 30 days. The Center will request medical recertification for any of the following reasons:

- The employee requests a leave extension.
- Circumstances described by the original certification have changed significantly. The employer receives information that casts doubt upon the continuing validity of the certification.
- The employee is unable to return to work after FMLA leave because of the continuation, recurrence or onset of a serious health condition.

If at any point, the employee gives an unequivocal notice that he/she will not be returning from FMLA leave, the supervisor will request a written resignation. Situations change, and an employee might decide at a later date that he/she wishes to return. The Center obligation for restoration rights ends with a formal resignation.

COBRA Rights

FMLA does not constitute a qualifying event triggering continuation of health benefit provisions under the Consolidated Omnibus Budget Reconciliation Act (COBRA). If an employee resigns for whatever reason during an FMLA leave, he/she would be eligible for COBRA coverage by paying his/her full share of health care costs, plus a 2% administrative charge. Employees who are terminated for gross misconduct will not be eligible for COBRA coverage.

Return to Work Certification

The Center requires a fitness-for-duty certification with regard to the particular health condition that was the cause of the employee's FMLA leave. The fitness-for-duty certificate must be presented to the Treasurer before the employee may return to work. A rule of thumb would dictate that said certificate be presented a day or two prior to the employee resuming his/her job duties. This "margin" will allow the Center and employee to address any questions or missing documentation. All information obtained in a fitness-for-duty certification will be treated as a confidential medical record, stored in a locked cabinet apart from the location of personnel files. Only the following will have access to this information:

- Appropriate administrative staff;
- First aid and safety personnel who must be informed if the disability might require emergency treatment or any specific procedures in the case of fire or other evacuations; or
- Government, state and insurance officials with a "need to know".

Employees returning to work must have a fitness-for-duty certification stating they can perform all job expectations without restriction.

When Restoration Rights are Denied

There are four reasons why employees may not be restored to their former positions at the end of an FMLA leave:

- The individual cannot perform the essential functions of the job, with or without accommodation.
- The individual would pose a significant risk to the safety of others.
- The individual's job was eliminated or he/she was laid off because of financial conditions.
- The individual was identified as a "key" person and informed of this designation before or during the FMLA leave. His/her return to the job would represent an economic hardship for the Center.

Provisions for the Disabled

Not every individual who is unable to return to the job is protected by the ADA. Illness or injuries do not always cause physical or mental impairments severe enough to "substantially" limit a major life activity, the ADA definition of an individual with a disability. If the employee is unable to perform his/her former job or an equivalent position because of a disability, and has exhausted the FMLA entitlement, the Americans With Disabilities Act (ADA) may be triggered.

Employees who meet the definition of disabled will be offered every reasonable accommodation to return to their jobs or equivalent positions.

Outside Employment

An employee on FMLA may not work elsewhere or operate a business.

Involuntary Leave (Assignment to Home)

The Center may assign a staff member to Involuntary Leave with/without pay for disciplinary reasons or when the health or safety of employees, or any person or property entrusted to the employee's care, could be adversely affected by the employee's presence at work. The length of the leave is at the discretion of the Superintendent, in conjunction with the amount of time needed to resolve the issue (e.g., A person may be put on involuntary leave pending the outcome of an investigation or pending a physical/mental examination to ascertain ability to do job function.).

An employee assigned to home with pay is to remain at home during his/her normal working hours. In addition, a staff member assigned to home with pay is not permitted to engage in other employment activities during normal working hours.

Military Leave

Staff members who are members of the Ohio National Guard, the Ohio Military Reserve, the Ohio Naval Militia, or members of other reserve components of the armed forces of the United States are entitled to a leave of absence with pay while they are performing military duties. Military Leave will not exceed twenty-two (22) eight-hour workdays or one hundred and seventy-six (176) hours in any

calendar year. For tours of duty in excess of these time limits, employees will be paid the lesser of five hundred dollars or the difference between his/her gross monthly pay and his/her military pay.

Staff members are required to submit a published order authorizing the military duty or a written statement from the appropriate military commander before being credited with leave. Military Leave may also be given to employees being inducted into military service.

Personal Leave

Full-time staff members are eligible for up to three Personal Leave days per year. Staff employed .6 FTE to .99 FTE are eligible for two (2) days of Personal Leave. Staff employed for .01 FTE to .59 FTE are eligible for one (1) day. Requests for Personal Leave must be filed in advance and approved by the Assistant Superintendent for Programs and Personnel and Superintendent. When circumstances do not permit prior approval, the staff member must contact his/her Assistant Superintendent for Programs and Personnel to get his/her approval and then give notice as detailed in *Absence from Work*. In instances where this directive is not followed, the Administration reserves the right to review the time off and deny the request. In those instances, the employee will be subject to disciplinary action, to include pay dockage for the time taken and additional loss of pay. Personal days should be used for purposes prescribed by law, "mandatory court appearances, legal or business matters, family emergencies, funerals, family obligations, weddings, religious holidays. . ." They may not be used for vacations, extending holiday breaks, hobby activities, secondary employment, job hunting, recreational activities, as a substitute for sick leave, etc.

Staff requesting more than one consecutive day of Personal Leave must include a reason for his/her absence.

Full-time employees may take Personal Leave in full or half increments. Staff employed on a part time basis (.01 FTE to .99 FTE) must take personal leave in full day increments. Staff members are restricted from taking Personal Leave prior to September 10 and after May 20 without the prior consent of the Superintendent.

Should a staff member exhaust all of his/her personal leave during the course of the school year and need additional time, he/she may petition the Superintendent for additional days. Said request must be in writing and detail the reason for the request and an explanation of previously used personal days. In such cases, the Superintendent will determine if sufficient cause exists to grant additional leave. An extension of personal leave will not be granted for vacations, extending holiday breaks, hobby activities, secondary employment, job hunting, recreational activities, as a substitute for sick leave, etc.

With the death of an individual who is not part of the staff member's immediate family, Personal Leave will be charged for the absence. A maximum of one (1) day will be approved in such instances provided the employee has accumulated leave.

A staff member who is absent from work due to a court proceeding or administrative hearing that is not directly related to his/her employment must apply for Personal Leave.

An attendance award of five hundred dollars (\$500) will be given to a full-time employee who does not use any personal leave during the course of the year. An employee that uses one (1) day of personal leave will receive an award of three hundred dollars (\$300). The use of two personal days will reduce the award to two hundred dollars (\$200). Partial days (e.g., half days) will be counted as a full day deduction for AIP purposes. Said award is at the sole discretion of the Center.

Full-time employees hired after October 1st but before December 31st will receive two (2) personal days for that school year. Full-time employees hired after January 1st will receive one (1) personal day for that year. Part-time employees hired after October 1 will not receive any Personal Leave for the year.

A person on Personal Leave may not work elsewhere nor operate a business.

The Center reserves the right to reject previously submitted request for personal leave that were originally denied then resubmitted.

Professional Leave

Staff members are eligible for Professional Leave to attend conferences, workshops, and seminars. Said activities must contribute to the Center's goals and objectives.

Information received at professional conferences should be shared with colleagues. The Center may limit the number of staff members approved for a conference in order to limit expenses and maximize professional development opportunities. As much as possible staff members attending the same conference should car pool to the event and share lodging.

Applications must be submitted through the Employee Kiosk at least ten (10) workdays in advance of the leave and be approved in order for the staff member to attend the meeting. Employees who are approved to attend a professional meeting will receive an e-mail from HR@npesc.org notifying them that their leave has been granted. If a staff member does not receive the notice he/she should contact his/her supervisor. Under no circumstance should an employee assume that his/her request has been approved unless they receive the HR notice. Staff should print a copy of this notice and retain it for their records.

Professional Leave must be approved by the employee's Supervisor, Assistant Superintendent for Programs and Personnel and Superintendent. A staff member assigned to a district must have the district Superintendent initial the print screen copy of the professional leave request before forwarding it to the Treasurer's Office. Approval of the request will depend upon budget allocations, availability of substitutes, and the appropriateness of the activity to the Center's goals and objectives.

As a rule of thumb, the Center does not reimburse employees for out of state conferences.

Requesting Reimbursement for Expenses

An employee requesting reimbursement for expenses will need to complete the professional leave request online and do a "print screen" of the submission. If mileage reimbursement is requested, the staff member should attach a *Google Maps* "shortest route to conference" print out. A copy of the conference's agenda will also need to be included if any type of reimbursement is requested. This packet should then be forwarded to the Treasurer's Office within one workday of the Employee Kiosk submission. A purchase order for leave requests will not be processed until the attachments are received by the Treasurer's Office.

The Center does not prepay registration or lodging. Employees will only be reimbursed for their own expenses as documented by itemized receipts in his/her name. Staff members may be reimbursed for the following expenses provided proper documentation is produced:

- mileage at the Governing Board's adopted rate based on *Google Maps* shortest route
- claims for lodging up to \$150.00 per night inclusive of taxes (telephone calls, tips, room service, movie rental etc., are not reimbursed)
- claims for lodging of two or more Center employees sharing a room will be reimbursed for up to a total of \$225.00 per night (telephone calls, tips, room service, movie rental etc., are not reimbursed)
- registration fees up to \$250.00
- claims for meals up to \$20.00 per day (no reimbursement for single-day meetings)
- tolls/parking fees
- Lodging the day before a conference will not be reimbursed for sites that are within 150 miles of the Center's hubs.

Staff members by policy may not be reimbursed for meals for single day professional meetings or tips and alcohol.

Reimbursement claims must be submitted to the Treasurer's Office within ten (10) days of the conference. To be reimbursed, a staff member must submit his/her yellow copy of an assigned purchase order listing actual expenses. Original itemized receipts must be submitted with the form.

Not Requesting Reimbursement for Expenses

An employee not requesting reimbursement will need to submit the leave request through the Employee Kiosk and provide a copy of the conference agenda noting the time, date and place of the meeting and topics to be addressed to his/her supervisor. (Note: District assigned staff must submit a print screen with the district's superintendent's signature indicating his/her permission for the staff member to attend.)

Cancelling/Changing Leave Requests

If it becomes necessary for a staff member to cancel or change a leave request, he/she must notify his/her supervisor and submit a new request through the Employee Kiosk. Any leave cancellation must be submitted as soon as possible but no later than two days before/after the scheduled absence. Failure to comply with this directive will result in the employee's leave being charged to the original date.

Out-of-State Conferences

An employee wishing to attend an out-of-state conference must submit said request in writing and receive approval from the staff member's Supervisor, Assistant Superintendent for Programs and Personnel and Superintendent (and district superintendent, if applicable). In addition, the request also needs the approval of the Center's Governing Board. Requests for an out-of-state conference should be submitted in advance so the request can be placed on the Governing Board's agenda. Should permission be granted, the employee will need to then submit his/her request through the Employee Kiosk

Sick Leave

Full-time staff members are eligible to accumulate up to fifteen (15) days of Sick Leave per year (earned at a rate of 1.25 days per month). Part-time employees accumulate sick days at a rate

proportionate to full-time employees. Sick Leave balance transfers will only be accepted from other school districts or governmental agencies.

Employees who take Sick Leave for days they have not accumulated will be subject to disciplinary action, up to and including termination. Sick Leave is not a substitute for Personal Leave or Vacation Leave. Abuse of Sick Leave is grounds for disciplinary action, up to and including termination.

Sick Leave may only be used for absences due to personal illness, pregnancy, injury, and exposure to a communicable disease, and sickness or injury to a spouse, dependent children and anyone for whom the employee has proven legal guardianship.

Sick Leave may also be taken when the employee is the primary caregiver for illness or injury to immediate family members when the employee has on file in the Treasurer's Office a notarized health care power listing him/her as the primary agent or first alternate agent.

When an employee is not the primary caregiver of an immediate family member, he/she may be eligible for Sick Leave (up to one instance, not to exceed one day). In said instance, the staff member must have Sick Leave to be used. This option may only be exercised once during the course of the contract year.

With the death of an individual who is not part of the staff member's immediate family, the administration will determine the appropriate leave to be charged (i.e., Sick Leave or Personal Leave). A maximum of one (1) day will be approved in each instance provided the employee has accumulated leave.

Sick Leave may be taken in fifteen (15) minute increments. Staff members must submit all Sick Leave requests through the Employee Kiosk. Said submission must be made prior to taking sick leave or on the day the employee returns to work. If a staff member is going to be absent for more than three days he/she should submit a sick leave request by the third day.

Staff members who will be absent from work for an extended period of time (e.g., more than three days) may be placed on FMLA leave. Said placement is at the discretion of the Center.

Employees new to the profession, or transferring in from another agency, may be extended up to five (5) days of sick leave at the start of their employment with the Center if it has not been earned yet or if previously earned but cannot be transferred to the Center. This extension is not automatic and those days given must be "paid back" to the Center through future earned days.

An employee is allowed to accumulate sick leave up to twenty days beyond the number of days for which he/she is contracted (e.g., 184 day contract plus twenty equals 204 sick days that may accumulate). Upon retirement, staff members may be eligible for severance of up to one quarter (0.25) of their unused Sick Leave, not to exceed 70 days. (See: *Compensation and Benefits*)

Staff members who do not use any sick leave during the fiscal year shall receive an award of one thousand dollars (\$1,000). This amount is divided into two installments of five hundred dollars (\$500). The first period of eligibility runs from July 1 through December 31. The second period runs from January 1 through June 30. Employees who qualify during one period but not the other may receive a five hundred dollar (\$500) award. Staff members who use more than thirty (30) sick days are not

eligible for any *Attendance Incentive Programs* for that year. Said award is at the sole discretion of the Center.

An employee who has exhausted sick leave and does not qualify for FMLA may not take Sick Leave they have not accumulated. Employees who take unearned Sick Leave will face disciplinary action, up to and including termination.

An employee on sick leave may not work elsewhere or operate a business.

Uncompensated Leave

Employees may request an uncompensated leave of absence for up to one (1) year. Said leave is without pay, and must be for reasons acceptable to the Center. The Center shall consider each request on a case by case basis. The Center shall weigh the individual's reason, availability of substitutes, and impact on the Center's programs/services, etc.

A staff member granted Uncompensated Leave of absence does not accrue experience while on leave, however, such leave will not be considered a break in service.

Requests for Uncompensated Leave should be made to the Superintendent in writing at least ten (10) weeks in advance of the desired start date. Special considerations will be given in emergency situations. All applications are subject to final approval by the Governing Board.

Extensions shall be considered upon proper application. An employee granted an Uncompensated Leave shall inform the Governing Board within five (5) months of his/her scheduled return as to his/her intentions. If the staff member does not notify the Center, termination proceedings will be initiated.

Staff members returning from Uncompensated Leave, will not advance on the salary schedule, nor will any course credit taken during the leave be counted toward advancement on the salary schedule.

Vacation Leave

Staff members under a twelve (12) month contract are entitled to Vacation Leave. Certified employees are entitled to twenty (20) vacation days per year. Vacation Leave accumulates at a rate of 1.67 days per month. Staff members cannot take Vacation Leave for days they have not accumulated.

Non-certified staff accrues vacation at the following rate:

During years one (1) through five (5), accumulation occurs at a rate of .83 days per month.

During years six (6) through eleven (11), accumulation occurs at a rate of 1.25 days per month.

During years twelve (12) plus accumulation occurs at a rate of 1.67 days per month

Calculation of years of service for vacation purposes are measured by fiscal year beginning July 1st and ending June 30th, with accumulation commencing at the end of July. The exception would be a new employee hired during the fiscal year; accumulation would begin at the end of the first full month worked. A new employee must work 120 contract days to earn one fiscal year credit.

Certified staff members may not accumulate more than sixty (60) days of vacation; and classified staff members may not accumulate more than forty (40) days. An employee may elect for "pay in lieu of vacation" up to a maximum of ten (10) days per contract year. The compensation rate shall be at the

employee's daily or hourly rate at the time of filing. **Certificated staff can only request Vacation Reimbursement between August 1st and June 30th. Classified staff can only request Vacation Reimbursement between July 1st and May 31st.**

Employees are compensated at their current rate of pay for all lawfully accrued and unused vacation days at the time of separation. For purposes of this provision, the employee's daily rate of pay will be calculated on his/her base pay.

Certificated staff members are to schedule their vacations during holiday recesses or the summertime so that services to client districts are not disrupted.

The Superintendent, Assistant Superintendent for Programs and Personnel and Supervisor must approve all vacation schedules for staff. It is the responsibility of the staff member to see that vacations are scheduled during a time that would create the least amount of interference with school operations. Staff members assigned to districts must have the Superintendent of the district initial the print screen copy of the Vacation Leave form and forward it to the Treasurer's Office.

Related Forms:

0006-02 *Employee Kiosk (Electronic)*
0029-04 *Sick Day Extension Application*
3430.01 F1 *Request for Unpaid FMLA Leave*
3430.01 F2A *Family Member Serious Health Condition*
3430.01 F2B *Employee Serious Health Condition*
3430.01 F2C *Certification of Qualifying Exigency*
3430.01 F2D *Certification of Serious Injury or Illness of Covered Servicemember*
3430.01 F3A *Designation Notice*
3430.01 F3B *Notice of Eligibility and Rights and Responsibilities*
3430.01 F4 *Return to Work Certification*
3430.01 F5 *Vacation Reimbursement Form*

*Difficulties are meant to rouse, not discourage.
The human spirit is to grow strong by conflict.*

William E. Channing

All staff members are expected to follow the procedures outlined in this policy. Failure to do so may interfere with our efficiency and may disrupt the processing of an individual's pay. Staff members who do not follow absence reporting procedures or do not complete on-line leave submissions will not be compensated for the time away from work.

Absences that are not authorized will be considered job abandonment. Employees will not be compensated for the time missed and will be subject to disciplinary action, up to and including termination. (See: *Leaves*)

Individual Leave Time

Staff members are responsible for knowing the amount of leave they have. This information is posted in each staff member's Employee Kiosk account. Staff members who take leave they have not accumulated or who exceed their allocated time, will be subject to disciplinary action, up to and including termination.

Happy are those who dream dreams and are ready to pay the price to make them come true.

~ L. J. Cardinal Suenens