

SUPPORT STAFF LEAVES

Consistent staffing is important to the learning environment and District operations and therefore is an essential duty of all employees. However, the Board recognizes that circumstances may cause an employee to miss work. The purpose of this regulation is to identify circumstances in which paid and unpaid leave from work are appropriate.

This policy and regulation apply to Support Staff. A support staff is any employee not covered by a Board approved Joint Resolution (JR) and whose pay is determined on an hourly basis and whose position is subject to the FLSA. This policy does not apply to temporary or substitute support staff members unless otherwise noted.

The following leaves with pay will be provided to full-time support staff employees and follow Board-approved JR if applicable. Regular part-time support staff employees will receive these leaves on a pro rata basis.

1. Sick Leave

Any support staff employees whose assignments call for twelve (12) months of full-time employment will receive fifteen (15) days of sick leave. Support staff employees whose assignments call for full-time employment only during the regular school term will receive thirteen (13) days of sick leave. Unused sick leave will be cumulative.

Employees who have accumulated in excess of one hundred and eighty (180) days of sick leave on June 30, 2004 may be credited for accumulated sick leave that is greater than one hundred and eighty (180) days upon retirement. The sick leave amount credited for compensation upon retirement may not exceed their accumulated total as of June 30, 2004.

Absences may be charged against sick leave for the following reasons:

- a. Illness, injury or incapacity of the employee
- b. Illness, injury or incapacity of a member of the immediate family, or others for whom the employee is responsible. The Board defines "an immediate family member" to include the employee's spouse, minor children and the following relatives of the employee or the employee's spouse: parents, adult children, children's spouses, grandparents, grandchildren, and siblings. Leave for illness, injury or incapacity of other relatives may be granted, with permission granted by the Superintendent.
- c. Pregnancy, childbirth and adoption leave in accordance with this policy.

Conditions

- a. The District shall require an employee to provide the District verification of illness from a healthcare provider or supply other documentation verifying the absence before the District applies sick leave or applicable paid leave to the absence.
- b. The District may require an employee to present a certification of fitness to return to work obtained at the employee's expense whenever the employee is absent from work in excess of five (5) consecutive workdays due to illness.
- c. Staff members who are ill are encouraged to stay home to promote healing and reduce the risk of infecting others, especially during a pandemic or other significant health event.
- d. In the event of a pandemic or other significant health event, schools may be closed to all staff and students or just students. If schools are closed only to students, staff members are expected to work regular schedules or use appropriate leave.
- e. A District employee may not use sick leave during the period the employee receives Workers' Compensation for time lost to work-related incidents.

- f. Any support staff employee who is a member of a retirement system shall remain a member during any period of leave under sick leave provisions of the District or under Workers' Compensation. The employee shall also receive creditable service credit for such leave time if the employee makes contributions to the system in a timely manner equal to the amount of contributions that he or she would have made had he or she been on active status.

2. *Personal Leave*

Personal Leave follows the Board approved JR if applicable:

- a. Twelve (12) month staff who are not covered by a JR may use up to five (5) sick days per year for personal time.
- b. Ten (10) month staff who are not covered by a JR may use up to four (4) sick days per year for personal use.

Unused personal leave days on June 30th of each year do not accumulate but will be converted to sick leave balances on July 1.

Absences may be charged against personal leave for the following reasons:

- a. Tax investigation.
- b. Court appearances, unless applicable law requires no leave be charged to the employee.
- c. Wedding, graduation or funeral (if vacation time is unavailable).
- d. Observances of a religious holiday.
- e. Conducting personal business of such a nature that it cannot be performed on Saturday, Sunday or before or after school hours, including parent-teacher conferences.
- f. Leave connected with duty as a volunteer firefighter, member of Missouri-1 Disaster Medical Assistance Team, Missouri Task Force One, or Urban Search and Rescue Team.
- g. Leave for other purposes as approved by the supervisor.

Conditions

1. Whenever possible, it is expected that requests for leave will be made in writing to the designated administrator at least forty-eight (48) hours in advance of time leave is requested.
2. Thirty (30) days' notice is required by law if the leave qualifies as FMLA leave and such notice is practicable.
3. The administrator will respond promptly to the employee's written request.
4. A District employee may not use personal leave days during the period the employee receives Workers' Compensation for time lost to work-related incidents.
5. Personal leave may not be combined with non-paid leave.
6. Personal leave may not be combined with vacation time if applicable.

3. *Vacation*

Employees who are employed to work full-time (twelve-month basis), shall accrue paid vacation at the rate of:

- a. .833 day per month or ten (10) days per fiscal year beginning the first year of employment through the fifth (5th) year.
- b. 1.25 days per month or fifteen (15) days per fiscal year beginning with the sixth (6th) year of employment through the twelfth (12th) year.
- c. 1.66 days per month or twenty (20) days per fiscal year beginning with the thirteenth (13th) year of employment.
- d. 2.0833 days per month or twenty-five (25) days per fiscal year beginning with the twenty-fifth (25th) year of employment. Twenty-five (25) days shall be the maximum number of vacation days an employee may earn within any fiscal year July 1 through June 30.

Conditions

- a. Vacation shall not be accrued while the employee is on a non-paid leave of absence.
- b. An employee must submit a written request for vacation to his or her supervisor and receive written authorization before taking vacation days.
- c. If the employee's absence may disrupt District operations, the supervisor has the discretion to deny a request for vacation, or to limit the time of year the employee may take his or her vacation.
- d. As of July 1 of any year, no employee may have more than twenty (20) days of accrued vacation. All accrued vacation days in excess of twenty (20) as of July 1 of any year will be converted one for one to days of sick leave. Exceptions to this provision require approval of the Superintendent, or his/her designee.
- e. A District employee may not use vacation days during the period the employee receives Workers' Compensation for time lost to work-related incidents.

Any exception to the above will be made only after approval from the Board of Education.

4. *Bereavement Leave*

When a death occurs in an employee's immediate family, or others for whom the employee is responsible), the employees may take up to three (3) days off with pay to attend the funeral or make funeral arrangements. The District may require verification of the need for leave. After the exhaustion of three (3) days of bereavement leave, the employee may use personal leave.

Other Leaves

Unless otherwise provided, the following leaves will be provided to full-time and part-time support staff employees.

1. *Holidays* - The District will grant paid and unpaid holidays in accordance with the academic calendar adopted by the Board. Holidays may be modified or eliminated as needed when the academic calendar is changed due to inclement weather or for other reasons. Holidays may change from year to year. When a holiday falls on a Saturday or Sunday the District reserves the right to follow the federal or state observance dates for said holiday.

For employees not covered by a JR, the District provides the following paid holidays:

- a. Ten-month (192 days) support staff employees:

Thanksgiving Day
December 25
Martin Luther King Day
Presidents' Day

- b. Employees who work more than ten (10) but less than twelve (12) months:

Labor Day
Thanksgiving Day
December 25
New Year's Day
Martin Luther King Day
Presidents' Day
Memorial Day

- c. Twelve (12) month employees:

Labor Day
Thanksgiving Day

Day after Thanksgiving
December 24
December 25
Three business days between Dec. 25 and Dec. 31
New Year's Day
Martin Luther King Day
Presidents' Day
Memorial Day
Independence Day
One discretionary day

2. *Professional Leave* - Employees may be granted professional leave to attend classes or conferences, meet with mentors or participate in other approved professional growth activities. Professional Leave must be approved by the immediate supervisor, arranged well in advance and is not considered personal leave.
3. *Military Leave* - The Board shall grant military leave as required by law and will follow FMLA guidelines. Members of the National Guard or any reserve component of the U.S. Armed Forces who are engaged in the performance of duty or training will be entitled to a leave of absence of one hundred and twenty (120) hours in any federal fiscal year (October 1 - September 30) without impairment of efficiency rating or loss of time, pay, regular leave or any other rights or benefits. Employees shall provide the District an official order verifying that they are required to report to duty.
4. *Election Leave* - Any employee who is appointed as an election judge pursuant to state law may take an excused without pay absence on any election day for the period of time required by the election authority. The employee must notify the District at least seven (7) days prior to any election in which the employee will serve as an election judge. No employee will be terminated, disciplined, threatened or otherwise subjected to adverse action based on the employee's service as an election judge.
5. *Leave to Vote* - Employees who do not have three (3) successive hours free from work while the polls are open will be granted a leave period of three (3) hours for the purpose of voting. Requests for such leave must be made prior to Election Day, and the employee's supervisors will designate when during the workday the leave should be taken. Any employee who properly requests leave to vote and uses the leave for that purpose-will not be subject to discipline, termination or loss of wages or salary.
6. *Jury Duty Leave* - An employee will be granted paid leave for time spent responding to a summons for jury duty, time spent participating in the jury selection process or time spent actually serving on a jury. An employee will not be terminated, disciplined, threatened or otherwise subjected to adverse action because of the employee's receipt or response to a jury summons. Employee will submit any payment received from the governmental body that required jury duty to the payroll department.
7. *Leave for Court Subpoena* - If the subpoena is directly related to the employee's District duties, the employee will be released for court appearance without loss of leave. Other court appearances will be deducted from personal leave.
8. *Firefighter Leave* - Employees will be allowed to use personal, vacation, and/or unpaid leave in accordance with District procedures for any time taken to respond to an emergency in the course of performing duties as a volunteer firefighter. For the purposes of this section, "volunteer firefighter" includes members of Missouri-1 Disaster Medical Assistance Team, Missouri Task Force One, and Urban Search and Rescue Team. Employees covered under this section shall not be terminated from employment for joining a volunteer fire department or for being absent from or late to work in order to respond to an emergency. Employees shall

make every reasonable effort to notify the building principal or supervisor if the employee may be absent from or late to work under this section. Employees are required to provide their supervisors with a written statement from the supervisor or acting supervisor of the volunteer fire department stating that the employee responded to an emergency along with the time and date of the emergency.

9. *Crime Victim Leave* - Any employee who is a crime victim, who witnesses a crime or who has an immediate family member who is a crime victim will not be required to use vacation, personal or sick leave in order to honor a subpoena to testify in a criminal proceeding, attend a criminal proceeding or participate in the preparation of the criminal proceeding.
10. *Civil Air Patrol Leave* - Any employee who is a member of Civil Air Patrol and has qualified for a Civil Air Patrol emergency service specialty or who is certified to fly counternarcotics missions shall be granted unpaid leave to perform Civil Air Patrol emergency service duty or counternarcotics missions without loss of time, regular leave or any other rights or benefits in accordance with law. The leave is limited to fifteen (15) working days in any calendar year, but is unlimited when responding to a state or nationally declared emergency in Missouri. The District may request that the employee be exempt from responding to a specific mission.
11. *Coast Guard Auxiliary Leave* - Employees who are members of the United States coast Guard Auxiliary will be granted an unpaid leave of absence for periods during which they are engaged in the performance of United States Coast Guard or United States Coast Guard Auxiliary duties, including travel related to such duties when authorized by the director of auxiliary or other appropriate United States Coast Guard Authority. Such leaves of absence will be given without loss of time, regular leave or any other rights or benefits to which such employees would otherwise be entitled. The leave is limited to fifteen (15) working days in any calendar year, but is unlimited when responding to a state or nationally declared emergency in Missouri or upon any navigable waterway within or adjacent to the state of Missouri. The District may request that an employee be exempted from responding to a specific mission.

Family Medical Leave Act (FMLA) Leave

Leave that qualifies for FMLA protection will be administered in accordance with federal law. FMLA health certification procedures apply to FMLA-qualifying absences, even if such absences are paid sick leave. Absences may be charged against personal leave for Leave under the FMLA. Employees eligible for FMLA leave for the birth, adoption or foster care of a child will have such leave applied in accordance with the FMLA, as detailed in the following section.

Pregnancy, Childbirth, and Adoption Leave

This section creates no rights extending beyond the contracted period of employment. FMLA certification and recertification procedures apply to FMLA-eligible employees. An employee must notify the District of the need for and anticipated duration of the leave at least thirty (30) days before leave is to begin, if foreseeable. If thirty (30) days' notice is not practicable, the employee must give as much notice as possible, usually within 2 business days. In most cases, it should be practicable to provide notice of the need for leave either the same day as the need for leave becomes known, or the next business day. A pregnant employee shall continue in the performance of her duties as long as she is able to do so and as long as her ability to perform her duties is not impaired, based on medical opinion.

Employees who are ineligible for FMLA leave may take up to six (6) weeks of leave for birth, adoption or foster care of a child and will be charged any combination of accrued sick leave, personal leave, vacation or unpaid leave. Employees must provide medical certification.

Pregnant employees who need more than six (6) weeks of non-FMLA leave for a pregnancy-related incapacity must provide certification of the medical necessity for such leave.

Limited Paid Leave for Organ Donation and Bone Marrow Donation

Notwithstanding any provision of law, and to promote the public policy of encouraging SSD employees to act as organ and bone marrow donors, employees may be granted a paid leave of absence for a specified time period for the following purposes:

1. An employee may receive up to five (5) business days of paid leave to serve as a bone marrow donor if the employee provides the Assistant Superintendent of Human Resources with written verification from a qualified health care provider that he or she is to serve as a bone marrow donor and is medically required to be absent from work for the period of time for which the employee has requested paid leave, and
2. An employee may receive up to thirty (30) business days of paid leave to serve as a human organ donor if the employee provides the Assistant Superintendent of Human Resources with written verification from a qualified health care provider that he or she is to serve as a human organ donor and is medically required to be absent from work for the period of time for which the employee has requested paid leave.

Any request for paid bone marrow or organ donation leave, along with medical documentation supporting such a request should be directed to the Assistant Superintendent of Human Resources. To be eligible for paid leave pursuant to this section, an employee must authorize such employee's health care provider to communicate with the District's Assistant Superintendent of Human Resources, including his or her designee, to verify the veracity of, and to seek clarification regarding, any medical documentation or information submitted by the employee in connection with a request for paid leave to donate bone marrow or an organ. As such, eligibility for paid leave under this section is conditioned on a requesting employee's execution of all any necessary releases or other documentation authorizing communication among the employee's health care provider(s) and the District's Human Resources Department.

The Assistant Superintendent of Human Resources shall exercise the sole discretion to determine whether and to what extent to grant a request for paid leave for the purpose of bone marrow or organ donation. An employee who satisfies all eligibility requirements for paid leave under this section and is granted such paid leave will receive his or her base state pay without interruption during the leave of absence. For purposes of determining seniority, pay or pay advancement and performance awards and for the receipt of any benefit that may be affected by a leave of absence, the service of the employee receiving paid leave pursuant to this section will be considered uninterrupted for the period of such paid leave.

Employees will not be penalized for requesting or obtaining a leave of absence pursuant to this section. The leave authorized by this section may be requested by the employee only if the employee is the person who is serving as the donor.

Date Issued by Superintendent: November 15, 2016

Superintendent of Schools: _____

Donald Q Bohannon