

PERSONNEL

Personnel Leaves

Upon the recommendation of the superintendent and in accordance with the law and district policy, employees may be granted leaves pursuant to the following conditions, unless the applicable collective bargaining agreement provides otherwise:

- A. Paid Leave: Employees will be allocated paid leave benefits in accordance with board policy and state and federal law. After accrued paid leave benefits are exhausted, any additional leaves granted at the discretion of the superintendent or designee will be without pay. If leaves are to include expenses to be paid by the district, that also shall be specifically stated.
- B. Leaves in Units of Full or Half Days. Leaves may be granted in units of half or full days only, unless otherwise allowed by the superintendent or designee.
- C. Return from Leaves. At the end of any approved leave shorter than 20 working days in duration, the affected employee is entitled to return to the position held when the leave commenced or to a comparable position.

After approved leaves of longer duration, an employee is entitled to a position in the district subject to the availability of a position for which the staff member is qualified, except as otherwise provided by law or district policy.

- D. Prior Notice: Reasonable advance notice is required for all leaves, with specific advance notice as stated in district policy or procedures.
- E. Exceptional Circumstances: The superintendent, with approval of the board, may grant leaves to individuals who might not otherwise be covered, or extend leave in excess of the number of days provided by district policy, in unusual or exceptional circumstances.
- F. Leaves Prorated for Part-Time Employees: Paid leave benefits granted to part-time employees shall be prorated according to the ratio of days and/or hours worked to the number of days and/or hours worked by a full-time staff member in the same or a similar position.
- G. Noncumulative: Leaves shall be noncumulative from year to year unless otherwise stated.
- H. Duration: A leave of absence may be granted for no longer than one year, upon the recommendation of the Superintendent or designee. If such leave is granted due to extended illness rendering the employee unable perform the duties of his or her position, up to one additional year of leave may be granted by action of the board.

PERSONNEL

Personnel Leaves

Accrued leave provides security for employees against the expense of extended illness or other unforeseen circumstances. Regular and consistent attendance is also important for student learning. For these reasons, the District expects employees to use no more than the contractually-provided paid leaves or paid leaves as provided by district policy.

Prior approval from the supervisor is required prior to use of personal days or (if applicable) vacation days. Prior approval is also required for leaves which allow such advance notice.

Unless stated otherwise in a collective bargaining agreement, requests for unpaid leave must be approved by the Director of Human Resources or designee. Unpaid leave may only be granted in very limited circumstances. Examples include illness or reasons covered under the Family and Medical Leave Act, public or political service, association leave, military leave, religious reasons, education leave, or other similar or unique circumstances. Any written request for unpaid leave will be reviewed on a case-by-case basis, according to district policy and the employee's collective bargaining agreement. Other requests for unpaid leave will not be approved.

Adoption Date: February 27, 2007

PERSONNEL

Sick Leave

The district shall grant each full-time employee of the district twelve (12) sick leave days annually. Unused sick leave may be accumulated on a year-to-year basis up to a maximum of the number of contract days in a contract period, not to exceed one year.

The district may require a signed statement from a licensed medical provider for any absence in excess of five (5) consecutive days. If sick leave benefits are exhausted, leave without pay may be granted.

Uses. Sick leave may be used for the following reasons:

- (1) In case of personal illness or injury;
- (2) To care for: (a) a child of the employee with a health condition that requires treatment or supervision; or (b) a spouse, parent, parent-in-law, or grandparent of the employee who has a serious health condition or an emergency condition. "Child" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is: (a) Under eighteen years of age; or (b) eighteen years of age or older and incapable of self-care because of a mental or physical disability. Other accrued paid leave may also be used for this purpose, at the employee's choice.
- (3) Emergency leave, up to five (5) days maximum per occurrence. Emergency leave will be granted for the following reasons: (a) illness or hospitalization of an employee's family not otherwise covered by the sick leave policy; (b) serious damage to personal property; (c) bereavements not covered by the bereavement leave policy; (d) legal proceedings in which the court mandates attendance by the employee for non-district business, not otherwise allowed by policy 5325 (Jury Duty and Subpoena Leave); (e) other emergencies which make it impossible for an employee to work. General conditions under which emergency leave will be granted include: (i) the problem must have been suddenly precipitated, be of such a nature that planning is not possible, or that planning would not have relieved the necessity of the employee's absence; and (ii) the problem must be serious and not one of minor importance or mere inconvenience.

A written application for emergency leave (absence profile) must be submitted to the supervisor.

- (4) Birth or adoption of a child. For adoptive parents or stepparents, leave will be granted at the time of birth or initial placement for adoption of a child when the child lives in the employee's household at the time of placement. The district shall grant leave upon the same terms to male employees as is available to female employees upon the birth or adoption of the employee's child.

Requests for leave due to the birth or adoption of a child must be submitted in writing to the Director of Human Resources not less than thirty (30) days prior to the beginning date of the leave. The notice shall include the approximate beginning and ending dates of the leave requested.

Attendance Incentive. In January of the year following any year in which a minimum of 60 days of sick leave is accrued, and each January thereafter, any eligible employee may exercise an option either:

- (1) to receive remuneration for unused sick accumulated in the previous year in an amount equal to one day's monetary compensation of the employee for each four full days of accrued sick leave in excess of 60 days; or
- (2) to add that year's sick leave to the employee's accumulated sick leave.

All such leave for which the employee receives compensation shall be deducted from accumulated sick leave at the rate of four (4) days for every one (1) day's monetary compensation.

An employee may cash-out all accrued sick leave at the above rate at the time of separation due to retirement, provided that the retiree provides documentation from the appropriate state retirement system. Such leave shall be accrued at the rate of no more than one (1) day per month. Such request to cash-out shall be submitted for payment within sixty (60) days of the date of the last regularly-scheduled salary payment.

Earned sick leave shall not be accumulated in excess of 180 days as of December 31 of each year, except that an employee may exercise the annual January cash-out option for all days accumulated in excess of this maximum.

The administrator of the estate of a deceased employee may also cash-out all accumulated sick leave at the rate of one (1) day's monetary compensation for every four (4) days of leave. A certified copy of the death certificate must be submitted to the district office or proper documentation of court appointment as administrator of the estate.

PASCO SCHOOL DISTRICT NO. 1

Legal References:	RCW 28A.400.210	Employee attendance incentive program — Remuneration for unused sick leave
	28A.400.300	Hiring and discharging employees — Leaves for employees — Seniority and leave benefits, retention upon transfers between schools
	49.12.270	Washington Family Care Act
	WAC 392-136	Conversion of Accumulated Sick Leave
	296-130	Family Care
	AGO 1963-64 No.98	Sick leave for certificated and noncertificated employees
	AGO 1980 No.22	Limitation on compensated leave for school district employees

Adoption Date: February 14, 2006

PERSONNEL

Maternity Leave

An employee may take a leave of absence for the period of actual disability attributable to pregnancy or childbirth. This period of disability shall extend from the date of birth for a period of not more than 60 days, unless an actual period of disability which begins prior to the date of birth or continues beyond 60 days is otherwise verified in writing by the employee's physician.

The employee may use any accumulated, paid leave during the period of maternity disability. If the employee's accumulated paid leave is exhausted before or during the period of maternity disability, the district shall grant a leave of absence without pay or fringe benefits, upon the employee's request, for the 60 day period or the remainder of the period of actual disability.

During any unpaid portion of such leave of absence, the employee may pay the premiums for any district insurance plans to keep coverage in effect for the employee and her family.

Notice Required. A pregnant employee should notify her immediate supervisor and the Human Resources Office by the beginning of the fifth month of pregnancy. The notice shall be in writing and may include a request for any of the following:

- A. Maternity leave for the period of her actual disability due to pregnancy or childbirth;
- B. Family leave under the terms of the Family and Medical Leave Act for qualified employees for a period of up to 12 weeks, in addition to any period of maternity disability leave. The district will extend its portion of the employee's health benefit during this period of unpaid leave;
- C. Leave of absence for a period of up to the beginning of the next school term or school year. Such extended leave of absence may be approved at the discretion of the superintendent or designee based upon consideration of educational program needs and the desires of the staff member, together with the recommendation of her personal physician or licensed practitioner; or
- D. Resignation of employment.

The notice to the district shall include the approximate beginning and ending dates for the leave.

Employment Conditions. A pregnant employee may continue working as long as she is able to perform her normal duties, with the approval of her physician or licensed practitioner.

The employee may return to work when physically able to perform her duties. Certification will be required from the treating physician/provider that the employee may return to work.

No later than 30 days after the date of birth, the employee shall notify the Director Human Resources of the specific date when she shall return to work. Unless an earlier date of return is approved, the employee shall give at least 14 days advance notice of the actual date of return.

If the employee continues to experience a disability due to a condition attributable to pregnancy or childbirth which prevents the employee from performing her duties on the scheduled date of return, an additional period of unpaid leave of absence may be approved at the discretion of the superintendent or designee according to the terms of this policy.

Assignment Upon Return. An employee who has taken a leave of absence only for the actual period of disability relating to pregnancy or childbirth and/or up to twelve weeks of leave under the Family and Medical Leave Act shall return to the same assignment, or a similar position for which she is qualified with at least the same pay and benefits, as she held prior to the leave.

Upon return from an extended maternity leave, a staff member shall be entitled to a position in the district subject to the availability of a position for which she is qualified. An effort shall be made to place the staff member in her original position or in a comparable position.

Right To Apply For Other Leave. Nothing in this policy shall preclude a staff member's right to apply for any other applicable leave as provided by board policy or the collective bargaining agreement.

Cross Reference:	Board Policy 5320	Personnel Leaves
Legal References:	RCW 28A.400.300	Hiring and discharging employees — Leave for employees
	49.78	Family Leave
	WAC 162-30-020	Maternity
	296-134	Family Leave
	P.L. 103-3	Family and Medical Leave Act of 1993

Adoption Date: January 10, 2006

PERSONNEL

Family and Medical Leave

Eligibility: Every employee who has been employed by the district at least one year *and* for at least 1,250 hours in the preceding twelve-month period is eligible for family and medical leave. Family and medical leave will be granted concurrent with any applicable paid leave available to the employee. If the employee has no paid leave available, unpaid leave will be granted. For employees who are not eligible for family and medical leave, all other district leave policies will apply.

Reasons for leave. Eligible employees will be granted family and medical leave, including applicable paid and unpaid leave, for a period of twelve (12) workweeks during any twelve (12) month period for the following reasons:

1. To care for a newborn child, an adopted child of the employee who is under the age of eighteen (18) at the time of placement for adoption, or a newly placed foster child; or
2. To care for a spouse, parent or child of the employee who has a serious health condition; or
3. A serious health condition that renders the employee incapable of performing the functions of his or her job.

The twelve (12) month period is calculated beginning with the first day an employee is eligible for family and medical leave counting each consecutive month thereafter.

Leave taken for newborn or adopted child care shall be completed within one year after the date of birth or placement for adoption. Family and medical leave authorized under this policy must be taken full-time and consecutively unless an alternative schedule is approved by the superintendent or where intermittent or reduced leave is medically necessary. Instructional staff may not take reduced or intermittent leave when it would constitute 20% of the number of working days in the period during which the leave would extend without the approval of the superintendent. An instructional employee may be transferred to an alternative equivalent position that would accommodate reduced or intermittent leave, if such a position is available.

Under state law, a period of family leave is in addition to any sick leave taken due to the employee's temporary disability attributable to pregnancy or childbirth.

If both parents of a newborn or newly adopted child are employed by the school district, they shall be entitled to a total of twelve workweeks of family leave during any twelve month period, and leave shall be granted to only one parent at a time. There is no pooling effect for spouses if the family leave is related to a serious health condition.

Military Family Leave. The district will grant an eligible employee up to twelve work weeks of leave during a 12-month period 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. "Qualifying exigencies" include short notice of deployment, military events and related activities, certain childcare-related activities, financial and legal arrangements, counseling, rest and recuperation, and post-deployment activities.

The district will 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 leave during a single 12-month period to care for the servicemember.

All provision of military family leave will be implemented consistent with federal law and regulations. Military family leave will be granted concurrent with any applicable paid leave available to the employee. If the employee has no paid leave available, unpaid leave will be granted.

Medical Certification. The district may require the employee to provide a medical certification completed by a health care provider to determine eligibility for family and medical leave.

The district may obtain the opinion of a second health care provider, at district expense, concerning any information pertinent to the employee's leave request. If the opinions of the health care providers differ on any matter determinative of the employee's eligibility for family leave, the two health care providers shall select a third provider, whose opinion, obtained at the employer's expense, shall be conclusive.

Insurance Benefits. During a period of designated family and medical leave taken pursuant to federal law, the district will continue to pay that portion of the eligible employee's insurance premiums which the district normally pays. The eligible employee must continue to pay any portion that he or she normally paid prior to taking family and medical leave.

Return to Work. Any employee returning from designated family and medical leave shall be entitled to the same position held by the employee when the leave commenced, or to a position with equivalent benefits and pay.

Reinstatement of an employee returning from family and medical leave need not occur if: a) the specific job is eliminated by a bona fide restructuring, or a reduction-in-force resulting from lack of funds or lack of work, b) an employee on family and medical leave takes a position with another employer outside the home, or c) the employee fails to provide the required notice of intent to take family and medical leave or fails to return on the established ending date of leave. If an employee fails to return from family and medical leave, the district may recover the costs of the employee's health benefits paid during the leave. Instructional staff may be required to delay their return from family leave to the beginning of the next semester under the following circumstances:

PASCO SCHOOL DISTRICT NO. 1

5323

Page 3 of 3

1. The employee began leave five or more weeks before the end of the semester, the leave is for more than three weeks, and the employee would otherwise return to work within three weeks of the end of the semester.
2. The employee began family leave (except for a personal health condition) less than five weeks before the end of the semester, the leave is for more than two weeks, and the employee would otherwise return to work within two weeks of the end of the semester.
3. The employee began family leave (except for a personal health condition) three or fewer weeks before the end of the semester and the period of leave is more than five working days.

Cross Reference:	Board Policy 5320	Personnel Leaves
	Board Policy 5321	Sick Leave
	Board Policy 5322	Maternity Leave

Legal References:	RCW 49.78 <i>et seq</i>	Washington Family Leave Act
	WAC 296-134	Family Leave
	29 U.S.C. Sec. 2601 <i>et seq</i>	Family and Medical Leave Act of 1993
	P.L. 110-181	2008 National Defense Authorization Act

Adoption Date: January 12, 2010

PERSONNEL

Military Leave

The district shall grant military leave as provided by law to each employee who is a member of a United States Military Reserve Unit or a member of the Washington National Guard for a period not to exceed twenty-one (21) days during each year beginning October 1 and ending September 30, provided such reservist has been called to active duty or active duty training. Such military leave of absence shall be in addition to any accrued vacation or sick leave and shall not result in any loss of rating, privileges, or pay. During the period of military leave, the employee shall receive his or her normal pay from the district.

Under state and federal law, employees whose school district employment is interrupted by up to five years of active duty military service have certain re-employment rights following their discharge from military duty. The superintendent shall adopt procedures to implement these re-employment rights consistent with applicable laws.

Legal References:	RCW 38.40.060	Military leaves for public employees
	73.16	Employment and Re-employment
	AGO 61-62 No. 81	Public employment – State and Municipal employees – Military Leave – Reserve meetings
	38 U.S.C. Sec. 4301, <i>et seq.</i>	Uniformed Services Employment and Re- Employment Rights Act

Adoption Date: June 24, 2008

PERSONNEL

Military Leave

When an employee must be gone from his or her educational activities to fulfill military obligations, the following procedure will be followed:

1. The employee shall submit a leave request listing military under the “other” category. A copy of the military orders is to be attached.
2. All requests for military leave will be submitted first to the principal and then to the Director of Personnel and finally to payroll.
3. Employees shall request that activities such as military-related school and other optional duty be scheduled during a school vacation to reduce the potentially harmful impact on the educational program of children. It is recognized that they will attend all mandatory duties with their assigned military unit.

Employees whose employment with the district has been interrupted by military service have the following re-employment rights:

If the employee was engaged in military service for up to and including ninety (90) days, the employee will be re-employed in the position he or she would have attained if there had been no interruption of employment.

If the employee was engaged in military service for more than ninety (90) days, the employee will be re-employed in a position of comparable seniority, status and pay as he or she would have attained without interruption of employment.

A district employee who has a service-connected disability shall be re-employed in a position of similar seniority, status and pay for which the employee is qualified or becomes qualified with reasonable accommodation by the district.

In order to be eligible for re-employment, the employee returning from military service must apply for re-employment as follows:

If military service was up to and including thirty (30) days, the employee must report for work at the beginning of the first full work day at least eight (8) hours after the employee has had time to return to his or her residence following the completion of the military service.

For service from thirty-one (31) to one-hundred-eighty (180) days, the employee must submit an application for re-employment within ninety (90) days of completing military service.

PASCO SCHOOL DISTRICT NO. 1

5324P
Page 2 of 2

The application timelines shall be extended if it was impossible or unreasonable for the employee, through no fault of his or her own, to report for re-employment. The application timelines shall be extended for up to two (2) years if the employee is hospitalized or recovering from an injury suffered as a result of military service.

The employee may be required to document the timelines of his or her application for re-employment and the length and type of military service.

Employees returning from military service shall receive the seniority and other benefits they would have received if their employment had been uninterrupted, except that employees may be required to pay the employee portion of any benefit that any other employee on a leave of absence would have had to pay. For retirement system purposes, no break in employment will be considered to have happened for employment interrupted by military service, and the district shall pay the employer's portion of the retirement system contribution for the time the employee was on military service.

The district will offer health insurance benefits for up to eighteen (18) months of military service. For the first thirty-one (31) days, the employee will pay only the employee's share of the coverage if any. After thirty-one (31) days, the employee may only be charged up to one-hundred-two percent (102%) of the premium for the benefits.

PERSONNEL

Jury Duty and Subpoena Leave

The district may grant leave with pay to an employee for the days he or she is required to serve on a jury. Any compensation received by the employee for jury duty performed on a contract day is to be reimbursed to the district.

The district may grant a maximum of two days paid leave to employees subpoenaed as witnesses in court or other legal proceedings. Any witness fees or other compensation for a court appearance on a contract day is to be reimbursed to the district. Leave under this policy shall not be granted to an employee for a case brought or supported by the employee union or association or for a case in which the employee has a direct or indirect interest in the proceedings.

On any day that an employee is released from jury duty or as a witness by the court and at least half of the employee's scheduled work hours remain, the employee is to immediately report to work.

Cross Reference:	Board Policy 5320	Personnel Leaves
Legal References:	RCW 28A.400.300 2.36	Hiring and discharging employees— leaves for employees Juries

Adoption Date: February 14, 2006

PERSONNEL

Bereavement Leave

The district shall allow each full-time employee a maximum of five (5) days paid leave upon the death of the employee's spouse, mother, father, child, sister, brother, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandchild, or grandparent. The deaths of more than one family member, as defined above, resulting from a common occurrence shall be treated as a single death with respect to the length of leave granted.

Cross Reference:	Policy 5320	Personnel Leaves
Legal References:	RCW 28A.400.300	Hiring and discharging employees— leaves for employees

Adoption Date: February 14, 2006