

## STAFF LEAVES AND ABSENCES

For purposes of this regulation, the following terms are defined below:

- *Immediate family* is defined as: natural parents, adoptive parents, foster parents, step-parents; spouse; natural, adopted or foster children; grandparents of the employee; grandchildren; and siblings.
- *Extended non-immediate family* members are defined as: grandparents of a spouse, father-in-law, mother-in-law, or any other relative living in the household of the employee.
- *Leave* is any time away from an individual's primary work role.
- *Personal leave* is defined as an absence from duty wherein the reason may be given at the employees' discretion.
- *Sick leave* is allowed when the employee cannot report for work because of personal illness or quarantine of the employee or an immediate family member and for medical and dental appointments of the employee or immediate family member
- *Virginia Retirement System VRS) membership plans are based on the year an employee joined:*
  - *Plan 1 – membership date is before July 1, 2010, and you were vested as of January 1, 2013.*
  - *Plan 2 – membership date is from July 1, 2010, to December 31, 2013, or your membership date is before July 1, 2010, and you were not vested as of January 1, 2013.*
  - *Hybrid Plan – membership dates on or after January 2014 and is a combination of two types of retirement plans – benefit component and a contribution component.*

The purpose of this policy is to define when employees are eligible for leave. The policy is broken into eleven (11) categories:

- A. Sick Leave
- B. Personal Leave
- C. Bereavement Leave
- D. Parent Leave
- E. Annual Leave
- F. Professional Development Leave
- G. Educational Leave

- H. Leave for Court Appearance
- I. Military Leave
- J. Unauthorized Leave
- K. Holiday

### **Accumulation and Guidelines**

Sick and personal are front-loaded on an employee's first contracted work day of the contract year. This leave, however, is subject to proration for service less than the full contractual year. An employee cannot take leave unless he/she has reported for duty for their first contracted work day. If an employee is unable, because of illness, to begin working on his/her first contracted day, the employee will be allowed to use accumulated sick or vacation leave not in excess of the balance credited as of June 30 of the preceding school/fiscal year. It is the responsibility of each employee to assure that his/her leave taken is properly documented and submitted no later than the last working day of the month that the time off is actually taken. Employees are responsible for tracking their own leave balances. Discrepancies that adversely affect an employee's leave balance must be reported to the Payroll/Benefits Specialist within the same fiscal year of the date the error is recorded, but no later than three (3) months after such date. Corrections/adjustments must first be approved by the cost center manager.

### **Section A: Sick Leave**

Employees are encouraged to use good judgment when they are feeling ill and for the sake of all staff and student they are encouraged not to work when they are ill. A physician's certification/statement may be requested; including when there is a pattern of absenteeism; if there is an indication that the employee's physical condition is adversely affecting performance, or for an absence of three (3) or more consecutive days.

Full-time employees may earn a maximum of 10, 11, or 12 sick leave days each year according to the number of months employed and the number of hours worked in the contract workday. Three (3) of these 10, 11 or 12 sick days are designated as personal leave (see Section B: Personal Leave). Employees will be credited with the school year's accumulation of sick leave the first day they report to work for the contract year; however, the leave is not actually earned until the employee works at least half the contracted days of each month. Employees may draw from their credited sick leave following the completion of one day's service. Employees are entitled to accumulate a maximum of 180 days of sick leave. Any accumulated sick leave in excess of 180 days that is not used by June 30 of any year will be lost effective July 1 of that year.

Employees entering the school division from other Virginia public school divisions will be given credit for up to 180 days of accumulated sick leave upon

presentation of written certification from the Superintendent or designee of the former school division.

In the event of separation (termination or resignation) prior to the completion of the school year, salary for any leave which has been taken in excess of days actually earned will be withheld from the final payroll check. In the event that the employee's final paycheck does not cover the cost of the leave, the employee must reimburse the school division for the difference. In the case of prolonged illness, a full-time employee who is a member of VRS Plan 1 or Plan 2 may file for retirement disability through VRS. An employee who is a member of the VRS Hybrid Plan shall be required to use any accumulated sick leave to supplement his/her disability replacement compensation to reach a total of 100% of his/her usual payroll compensation. In no event shall such employee's combined compensation exceed his/her usual gross payroll amount. If such employee has no available sick leave, the employee will be paid at the rate set forth in the Hybrid Disability Program.

The board shall compensate eligible retiring employees for their unused accumulated sick leave at the rate of \$10.00 per day up to a maximum of 180 days (maximum total amount of \$1800.00). In order to be eligible for such payment, the retiring employee must retire under the regulations of the VRS immediately upon separation of employment and must have been under contract in this school division for five (5) consecutive years preceding retirement. Employees separating from employment for any reason other than retirement are not eligible to be paid for unused accumulated sick leave. Separating employees have one calendar year to request the transfer of said balance to another Virginia public school system.

### **Section B: Personal Leave**

All full-time and part-time employees will be provided with three (3) days of non-cumulative leave for personal reasons each school year, which is included in the 10, 11 or 12 days of sick leave granted to each employee. A day is defined as the number of hours worked per day by the employee. Only three (3) personal workdays may be taken consecutively.

Any unused personal leave will be converted to sick leave at the end of the fiscal year. Sick leave cannot be used to extend personal leave. An employee must notify his/her immediate supervisor at least 2 days prior to taking personal leave. Leave taken under this policy will be deducted from the personal leave balance.

In limited circumstances, personal leave may be used to extend a school holiday upon approval of the employee's supervisor and school principal/cost center manager. Use of personal leave to extend a holiday will be approved in advance and on a case-by-case basis.

In an effort to encourage engagement in the community and in recognition of the need for volunteers to support schools, communities, citizens, and non-profit charitable organizations, an employee may use personal leave to participate in community service activities. An employee wishing to participate in community service activities must notify his/her immediate supervisor at least 2 days prior to taking personal leave and the time used would come from the allotted personal time during that school year.

Even though personal leave cannot be used unless an employee has reported for duty for their first contracted work day, an exception may be granted if the employee's college child(ren) must report to an institution of higher education on the employee's first contracted work day. Documentation from the institution of higher education must be presented to the building/department administrator at the time of the request (at least 48 hours prior to the employee's first contracted work day). A copy of the documentation must be attached to the Leave Report.

### **Section C: Bereavement (Funeral) Leave**

Up to three (3) days of paid bereavement leave will be granted to the employee in the event of death of an immediate family member. This bereavement leave is not counted against the employee's sick, personal or vacation leave. An employee may elect to extend the three days of bereavement leave by taking sick leave, personal leave, or annual leave.

### **Section D: Parental Leave (Maternity, Paternity or Adoption)**

Full-time employees may request a continuous leave of absence, not to exceed eighteen (18) weeks, with the first twelve (12) weeks of Parental Leave taken in accordance with the Family and Medical Leave Act. Parental Leave may be taken for the purpose of childbearing and/or child rearing a newborn child or a newly adopted or placed foster child, as follows:

- A. The first twelve (12) weeks of Parental Leave shall be taken in accordance with the Family and Medical Leave Act. Employees receiving approval will be compensated for a maximum of twelve (12) weeks using available leave balances.
- B. An employee may request parental leave to commence upon or after the birth of his/her child. Prior approval must be obtained before leave will be granted. Any leave taken after Family Medical Leave is exhausted will be unpaid leave. An employee returning from Parental Leave will not be

entitled to request another term of Parental Leave until such employee has worked for at least one calendar year and has worked at least 1,600 hours during such year.

- C. An employee adopting a child, upon request, may be granted Parental Leave to commence at any time during the first year after receiving de facto custody of said child, or prior to receiving such custody, if necessary in order to fulfill the requirements of adoption.
- D. If the employee notifies the Department of Human Resources of his/her intent to return to active employment within eighteen (18) weeks from the beginning of the parental leave, the employee will be assigned to the first available vacant position for which qualified, provided that if more than one employee has given notice pursuant to this paragraph, the employee who has given notice at the earliest date will be assigned to the position in question. The employee shall return only at semester breaks. Once the employee returns to work, any time that would have been available for leave under this regulation will be lost. The employee will not accrue any leave (annual, personal or sick leave) during the period approved.
- E. While on parental leave, an employee will have the option of continuing hospitalization insurance coverage and group life insurance by so informing the Department of Human Resources and Benefits Specialist and submitting monthly payments of the employee's portion of the hospitalization insurance premiums to the School Board the first day of each month.

### **Section E: Annual Leave (Vacation Leave)**

The purpose of paid annual (vacation) leave is to allow and encourage all eligible employees to renew their physical and mental capabilities to remain fully productive. Employees are encouraged to request annual vacation leave during each year in order to achieve this purpose.

All full-time permanent 12-month employees who work or are on paid leave (including paid holidays, sick leave, annual leave, and workers' compensation) for one-half or more of the workdays in a pay period are entitled to earn annual leave at the accrual rates indicated on the schedule listed below.

The annual leave accrual rate is based on the length of service that an employee has in a full-time 12-month position with Charles City Public Schools or with another employer covered under the Virginia Retirement System (VRS).

Years of Service in a VRS Covered Position	Days of leave earned per month of employment
Less than 5 years	1.0 – 8 hours (.5 days per pay period – 4 hours)
5 years, but less than 10 years	1.25 – 10 hours (.625 days per pay period – 5 hours)
10 years or more	1.50 – 12 hours (.75 days per pay period – 6 hours)

Annual leave balances shall not exceed 30 days as of June 30th of each year. Any time over 30 days will be forfeited, except in extraordinary circumstances and only by written permission of the Superintendent. Twelve-month employees who are contracted to work at least 4 hours a day, but less than 6 hours a day, will accrue vacation leave at the rate of one day per month, based on the number of hours in the contracted workday, regardless of the length of service.

Upon termination of employment, full-time personnel employed on a 12-month basis may be paid for unused earned annual leave up to a 30-day accumulation at the employee's daily rate. Under no circumstances will an employee be paid for earned annual leave in excess of 30 days.

#### **Section F: Professional Leave**

Employees may be allowed to represent the school division at professional meetings and/or conferences, to serve in workshops and on committees, and to observe other personnel without loss of pay with prior approval of the employee's supervisor. A maximum of ten (10) professional work days may be taken each fiscal year. Professional leave days must be approved by the Director of Human Resources, Strategic Planning and Professional Learning. An employee must work for the school division at least six months after taking professional leave, or the cost of such time off (including travel time and associated course fees) must be reimbursed to the school division.

In the event the employee receives compensation for professional development, the amount of compensation received by the employee will be paid to the school division by the employee, or an equal amount will be deducted from the employee's salary, or one day of personal or annual leave will be deducted from the employee's leave balance.

#### **Section G: Educational Leave**

Educational Leave may be granted for study or educational travel. An Educational Leave request requires supporting documentation with complete details, which may include written confirmation from an institution of higher education. An educational leave of absence without pay shall be for a minimum of the balance of one school/fiscal year. Re-employment is guaranteed for full-time employees who have a satisfactory performance evaluation, are not on a Performance Improvement Plan, and successfully complete any Educational Leave program. An employee returning from Educational Leave will not be

guaranteed his/her former assignment but will be placed in an equivalent vacant position for which he/she is licensed and/or qualified.

Procedure: A request for Educational Leave must be submitted, in writing, to the supervisor at the earliest possible date, but no less than 60 days prior to the expected commencement of leave. The supervisor will forward the request (noting approval or disapproval) to the Director for Human Resources. Factors to be considered in granting Educational Leave shall include the normal contractual period and work requirements of the requestor's position.

Sick leave and annual leave will not accrue during Educational Leave. Credit for experience will not be earned during this period. The employee is eligible during Educational Leave to continue all health insurance coverage; however, the employee must make arrangements to pay the entire premium for such insurance.

An employee must inform the Director for Human Resources in writing of his/her intention to return to active status for the following contract year no later than April 1st of the current contract year. Failure to provide written notification by April 1st of the intent to return will result in termination of employment effective at the end of the leave period.

#### **Section H: Court Appearance**

All employees of the school division who are called for jury duty or subpoenaed to appear in court in school-related cases may do so without loss of pay or leave time. In non-school related cases, employees who are subpoenaed as a witness, not as a plaintiff in a civil action, or as a defendant in a criminal case, will not lose pay or leave. Requests for court leave must be made to the employee's supervisor prior to the absence.

In the event the employee receives compensation for jury duty or a witness fee, the amount of compensation received by the employee, will be paid to the school division by the employee, or an equal amount will be deducted from the employee's salary, or one day of personal leave will be deducted from the employee's leave balance. The employee is responsible for forwarding payment to the Finance Department.

#### **Section I: Military Leave**

All employees who are members of a reserve unit of the United States Armed Forces, or the National Guard, or the naval militia shall be entitled to paid leave when they are engaged in federally funded military training duty and their military pay is less than their CCPS compensation. In those cases, the school division will pay the difference between military pay and school division compensation. Paid leave shall not exceed 15 working days per fiscal year. Reemployment with

the School Division follows the guidelines outlined in the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994.

**Section J: Unauthorized Absence**

All absences not covered in the leave plans set forth above will result in loss of pay and disciplinary action, up to and including termination.

**Section K: Holidays**

The specific days on which holidays are observed will be communicated to employees each school year. The School Board reserves the right to adjust these days without notice and as necessary to meet instructional and administrative requirements. For payroll purposes, holidays are not considered to be paid workdays. Schools and school board offices will be closed on holidays designated on the school calendar approved by the School Board. Holidays occurring on a weekend generally will be taken on Friday if the holiday is on Saturday or on Monday if the holiday is on Sunday.

**The following holidays are unpaid days off for all employees:**

1. Independence Day
2. Labor Day
3. Thanksgiving Break
4. Winter Break (to include Christmas Day and New Year's Day)
5. MLK Day
6. President's Day
7. Spring Break – (1 week)
8. Memorial Day

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Reviewed:

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Legal Ref: Code of Virginia, 1950, as amended, § 22.1-78.

Cross Refs.	GCBE	Family and Medical Leave
	GCBEA	Leave without Pay
	GCBEB	Military Leave and Benefits
	GCQA	Non-school Employment by Staff Members