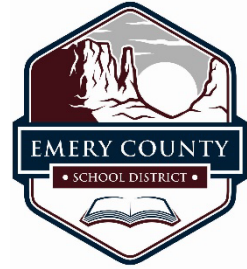


# Emery County School District



Policy: GEC—Benefited Staff Leaves and Absences

Date Adopted: 7 September 1988  
Current Review / Revision: 12 July 2023

**Eligibility:** Unless otherwise noted in this policy, employees eligible for fringe benefits, as defined in the current District Fringe Benefits policies, may be accorded the following leaves. Board approved definitions and regulations will be observed in applying for and in granting leave for the purposes listed in this policy. All leaves other than for illness or emergency reasons must be requested in advance.

## Annual Leave

Eligible employees receive 10, 11, or 12 days of annual leave per year based on qualifying years of service.

- Employees with qualifying service of less than 10 completed years in the ECSD, as of the first day of the employee's annual employment period (July 1<sup>st</sup> or September 1<sup>st</sup>), will receive 10 days of annual leave.
- Employees with qualifying service of 10-14 completed years in the ECSD, as of the first day of the employee's annual employment period (July 1<sup>st</sup> or September 1<sup>st</sup>), will receive 11 days of annual leave.
- Employees with qualifying service of 15 completed years in the ECSD, as of the first day of the employee's annual employment period (July 1<sup>st</sup> or September 1<sup>st</sup>), will receive 12 days of annual leave.

Whenever possible (emergencies being an exception), the use of annual leave is to be pre-approved by the supervisor of the employee requesting leave. Supervisors shall develop an equitable leave approval process and have authority to approve or deny leave requests based on the staffing needs of the school or department. For the three days preceding or following holidays or other times when a disproportionate number of staff may wish to take leave, supervisors may consider leave requests based on:

- Order in which leave requests were received
- Length of time since the employee last applied for leave adjacent to a holiday period, or similar.

The following considerations, while not exhaustive, are considered relevant to the leave approval process and may be asked by the supervisor while evaluating leave requests:

- Is this leave request for an emergency?
- Is this leave request required for the employee to perform community service of some kind?
- Is this leave request needed by the employee to attend school events in which their child is participating?
- Considering the circumstances, has the employee given good reason for needing to be away from work?
- Considering the circumstances, has the employee given reasonable notice for the leave being requested?
- Will the employee's absence cause an undue hardship to the school or department because of shortages caused by illness, activities, or other personal leave previously scheduled?

An allowance of 6-8 days from the banked leave balance may be used annually for a total of no more than 18 days used by an employee during the contract year without medical documentation. Any days requested beyond the 18 total days will require medical documentation and a medical release to return to work. Exceptions, which will only be considered

for long-term or catastrophic medical conditions, will require application to, and approval from the catastrophic leave committee. Annual leave days may not be transferred to another employee.

At the end of a contract year or annual employment period, all unused annual leave will either be transferred to the banked leave balance of the employee or cashed out. The following rules apply:

*Employees with a Banked Leave Balance > 120 days*

- All unused annual leave days may be cashed out at a rate of \$100 per day (prorated if part-time), or may be added to the banked leave balance of the employee. This will be at the employee's discretion. By default, days will be added to banked leave balances if an application for cash out is not received by established deadlines.

*Employees with a Banked Leave Balance < 120 days*

- The first five (5) unused annual leave days will be added to the banked leave balance of the employee.
- Any unused annual leave days beyond five (5) may be cashed out at a rate of \$100 per day (prorated if part-time) or may be added to the banked leave balance of the employee. This is at the employee's discretion. By default, days will be added to banked leave balances if an application for cash out is not received by deadlines.

## **Banked Leave**

A banked leave balance will be maintained for eligible employees. This balance will include accumulated and unused banked leave from prior years and may be added to through the conversion of annual days to banked days as described in the annual leave section of this policy. The maximum accrual of banked leave shall be 180 days.

An allowance of 6-8 days from the banked leave balance may be used annually for a total of no more than 18 days used by an employee during the contract year without medical documentation. Any days requested beyond the 18 total days will require medical documentation and a medical release to return to work. Exceptions, which will only be considered for long-term (2+ weeks) or catastrophic medical conditions, will require application to, and approval from the catastrophic leave committee.

When utilizing banked leave beyond the total of 6-8 days (based on the number of annual days allocated), evidence of the necessity of being absent shall be furnished by the employee as their supervisor may require. Generally, an absence of three or more consecutive days shall require medical documentation. A medical release will be required to return to work.

Employees may draw from their banked leave balance when donating annually to the Catastrophic Leave Pool.

An employee with 15 or more consecutive years of service in the Emery County School District, who has reached eligibility for State pension retirement benefits, and elects to retire, shall be paid by the District the current licensed teacher substitute pay for each day of unused banked and annual leave credited to the employee's account upon retirement. Leave payouts shall be made to the employee through the District-sponsored Prime Choice plan.

## **Bereavement Leave**

Eligible employees shall be entitled, without loss of pay, to leave of absence from service as necessary in the event of a death in his/her immediate family, chargeable to bereavement leave as follows:

- 1) Up to five (5) days in the event of death in the employee's immediate family. Immediate family for purposes of bereavement leave shall mean: spouse, father, mother, brother, sister, son, daughter, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandchild or grandparent, or persons who have

assumed these roles.

- 2) If the death of a spouse occurs, an additional four (4) days leave will be allowed; this leave to be deducted from the employee's banked leave.
- 3) Up to one day will be granted for an employee to attend the funeral of an uncle, aunt, niece, or nephew.

### **Maternity / Paternity Leave**

Eligible employees shall be entitled, without loss of pay, up to (5) five days leave of absence from service as necessary in the event of a birth of a child or adopted child to either the employee or the legal spouse.

### **Jury Duty**

Paid leave for jury duty will be granted to an eligible employee, with the Board paying the eligible employee the difference in salary between his/her daily rate and the daily pay received from the court. An employee who is not eligible for benefits may be granted unpaid leave for jury duty as required by State or Federal law.

### **Staff Development Leave**

Leave for educational conferences, conventions, or in-service training to be conducted in Utah, Arizona, New Mexico, Colorado, Wyoming, Idaho, or Nevada may be granted by the Superintendent for an eligible employee. Leaves for other out-of-state educational conferences, conventions, or in-service training must be recommended by the Superintendent and approved by the Board.

### **Education Association Leave**

The Board of Education may allow association leave as long as the leave is not subsidized by taxpayer funds when such leave has no direct benefit to the School District. Association leave allowed in this section is intended to comply with the requirements of Utah Code 53G-11-206. Definitions of "association" and "association leave" applying to this policy are stipulated in the aforementioned code.

Paid association leave may be allowed for eligible employees who have accepted leadership assignments within their respective associations under the following conditions:

1. That the association leave in which an eligible employee participates directly benefits education within the School District, and that documentation is provided by the employee that details the activity and the educational benefits.
2. That paid association leave is for one or more of the following purposes:
  - a. Consulting with colleagues about improving employee performance;
  - b. Developing strategies that can be used in the District to improve public education;
  - c. Attending in-service about the problems confronting the profession with the intended outcome of improving employee performance;
  - d. Other as approved and/or recommended by the District.
3. That association leave not be used for:

- a. Political activity including active campaigning for candidates for public offices in partisan and non-partisan elections; and
- b. Fundraising for political organizations, political parties, or candidates.

Approval for paid association leave must be granted by a District level supervisor prior to the date of the association leave. Employees or their association must cover the costs of substitutes hired for association leave. Eligible employees who are granted paid association leave must make arrangements through their Principal to hire and pay for a substitute to be present during such leave.

No employee covered by this policy shall be allowed more than one (1) day of association leave in any calendar month without the approval of the Superintendent. Employees who willfully violate this policy will be required to reimburse the District all costs associated with the leave taken and may be subject to discipline under Utah Code 53G-11 and under existing District policies related to orderly termination.

### **Leave Without Pay**

An eligible employee may be granted a leave of absence without pay for a period of five (5) days or less by the Superintendent. A request by an eligible employee for an unpaid leave of absence of more than five (5) days must be approved by the Board.

### **Sabbatical Leaves**

Sabbatical leave of up to one year is provided for eligible licensed employees under the following regulations:

- a) Any educator applying for sabbatical leave must have been employed in the Emery County School District for at least seven (7) years.
- b) No person is to be given such leave of absence more often than once every seven (7) years.
- c) All applications for sabbatical leave must be submitted to the District at least ninety (90) days before the end of the school year. Each request must be approved in advance by the Superintendent and Board of Education.
- d) The specific purpose of the sabbatical leave must be to pursue advanced college study or directly-relevant work experience deemed by the appropriate District supervisor to be:
  - a. Beneficial to the District; and
  - b. Closely tied to the current teaching assignment of the applicant
- e) The applicant will receive the difference in pay between his/her salary and the educator who replaces him/her. The applicant will be allowed to maintain District health, dental, and life insurances at the levels of District funding and coverage in place for the applicant at the time the sabbatical leave is approved.
- f) The applicant will be given credit on the experience schedule of the District for the duration of sabbatical leave. The applicant will not be given service credit in the Utah Retirement System (URS) unless the applicant meets URS requirements for service credit while on sabbatical leave.
- g) Any educator taking a sabbatical leave will be rehired contingent upon job qualifications for available jobs in the District. Also, the teacher must agree to teach two years in the District after his/her return or refund back

to the District any monies paid to him/her from the District for his/her sabbatical.

- h) The Board will choose educators to fill sabbatical programs based on qualifications, District needs, and funding availability.

### **School Leave**

The Board of Education may, at its discretion, grant leave of absence for an eligible employee to attend school for professional growth. The Board shall pay the eligible employee full salary for said leave of absence unless otherwise provided.