

## Article 14 Paid Leaves of Absence

### Types of Leaves

Employees shall be entitled to the following leaves of absences with full pay each school year:

#### A. ~~Emergency~~ Personal Leave

- ~~1. Employees shall be granted emergency leave with full pay in an amount up to three (3) days per year over the course of this Agreement, usable in not less than one half (1/2) day portions. However, no employee may use more than five (5) days in any one (1) year without approval of the Superintendent. Applications shall be submitted to the building principal or immediate supervisor of the employee. These days are not intended to extend any vacation or holidays.~~
- 1. When a member is absent because of emergencies or personal business that cannot be conducted outside the regular workday, and the absence is not covered by any other leave, the employer will allow the member up to three (3) days of personal leave, per year, non-cumulative, with the member to be paid his/her daily pay.**
- 2. The principal or supervisor must be notified forty eight (48) hours in advance except in the case of an emergency.**
- 3. No personal leave may be taken on days immediately before or after a school holiday or vacation period, nor the opening day or closing day of the school year without prior approval.**
- 4. Personal leave days shall be granted only in half (1/2) or full (1) day increments.**

~~This leave may be granted for the following reasons:~~

- ~~a. — serious illness or serious injury to a party in the employee's immediate family~~

- ~~b. Major family events (such as but not limited to, graduation, wedding, birth, return from overseas military deployment)~~
  - ~~e. serious household emergencies (any emergency which cannot be cared for outside of the regular work day)~~
  - ~~d. funerals for close friends~~
  - ~~e. personal emergency. A maximum of one day per year may be granted in the event of an emergency of a confidential nature. However, the employee must indicate the general category of the personal emergency on the appropriate request leave form.~~
  - ~~f. family responsibilities that cannot be handled outside the workday.~~
- ~~2. Requests for emergency leave should be made at least five (5) days in advance when such action is feasible. Absences made necessary for emergencies may be approved if application is made immediately (within three [3] school days) upon return to service. All denials will be reviewed automatically by the Superintendent or designee.~~
  - ~~3. An additional three (3) days may be approved by the Superintendent or designee.~~
  - ~~4. Other days missed because of emergencies will be non-paid subject to provisions 1 and 2 above. The exception to this shall be religious obligations which cannot be satisfied outside of the regular workday. These shall be considered under section A.1. of this article.~~

~~Immediate family shall include the employee's spouse, father, mother, son, daughter, brother, sister, grandparents, grandchildren, step-parents, aunts, uncles, nieces, nephews, in-laws and/or persons sharing a close personal relationship that includes a responsibility for common welfare.~~

**B. Cost of Substitute Leave**

Each full-time employee is entitled to two (2) days per year for which the cost of the substitute is deducted from his/her salary. These days may be used for personal or professional needs that cannot be taken care of outside the regular work day. In situations where the district feels it is warranted,

additional cost of substitute days will be considered if such leave does not unduly disrupt the district's educational program.

**C. Sick Leave**

Employees who are absent because of personal illness or injury or pregnancy or to care for an ill or injured member of the immediate family shall receive compensation on account of sickness during such absence in accordance with the following provisions:

1. All employees working on 186 or 187 day contracts shall be granted ten (10) days sick leave during each school year, employees working 210-day contracts receive eleven (11) days and those on 230-day contracts, twelve (12). Such sick leave shall be credited to said employees on the first school day of the fall semester. In case of employees who begin service after commencement of the school year, sick leave days shall be credited on the first day of employment and shall be prorated.
2. Sick leave days shall accumulate on an unlimited basis.
3. An employee who has accumulated sick leave during employment in another Oregon school district, and who was so employed during the preceding year, shall, upon proper verification be allowed to transfer into this District, the number of sick leave days so accumulated, as allowed by Oregon Statute.
4. ~~With the May paycheck e~~Each employee shall be given a written accounting of his/her accumulated sick leave **in their monthly payroll report.**
5. Verification—a grant of sick leave in excess of five (5) consecutive days may be verified by a written statement from the employee's attending physician or practitioner that injury or illness prevents the individual from work if requested by the Superintendent or designee. If the absence is extended over successive pay periods, these verifications must be submitted regularly each month or worded in such a way by the physician as to indicate the length of absence.

All medical records, including verification provided to the District, shall be confidential.

6. Unused accumulated sick leave will be able to be applied to the individual's retirement formula if allowed by Oregon Revised Statutes.
7. Cancellation—it is understood that all sick leave benefits are immediately and automatically canceled upon termination of employment by resignation or discharge by the District and no payment for unused accumulated sick leave is due.
8. Any employee who has used all accrued sick leave and any available sick leave from a sick leave bank, and is unable to return to work immediately following the exhaustion of such sick leave shall be granted an unpaid medical leave for the remainder of the school year or for a period to be specified by the employee and his/her physician but in no case for more than the balance of the school year.

#### **D. Sick Leave Bank**

**The purpose of the Sick Leave Bank is provide members with additional sick leave to bridge the time loss required by their own serious illness or injury or permanent or long-term incapacity as defined by the Oregon Family Leave Act (OFLA) and Family Medical Leave Act (FMLA), and their return to work.**

- 1. Qualification: All members who donate at least one sick leave day to and are a current enrollee in the Sick Leave Bank are qualified for access to the Sick Leave Bank.**
- 2. Donation: On or before October 31<sup>st</sup> of each year, members not currently enrolled in the Sick Leave Bank may join by donating one (day) of their accrued sick leave as long as that amount is in the member's accrued sick leave account. In the event the available number of donated days in the bank falls below 200, a donation period of thirty (30) days will be opened and current members of the bank shall be allowed to donate one (1) day of accrued and unused sick leave.**
- 3. Sick Leave Bank Committee: The Association will create a Sick Leave Bank Committee which will be comprised of three (3) unit members. The Sick Leave Bank Committee will review applications from members at the District office, make grants**

from the bank, perform other duties as necessary to administer the bank, and work with the District to maintain accurate accounting of usage of the Sick Leave Bank. The District Human Resources Director shall be a non-voting member of the committee.

4. Use of the Sick Leave Bank: Qualified members who wish to use the Sick Leave Bank must submit an application to the Sick Leave Bank Committee including a release authorizing the District to provide medical information to the committee. Applicants must submit a written statement from a physician or other health care provider certifying an illness or injury which prevents the unit member from performing the duties of her/his job, any other documentation required by the committee, and must not be eligible for lost time compensation under Workers Compensation or benefits under a long-term disability policy.
5. After reviewing a member's application, the Sick Leave Bank Committee will notify the applicant within five (5) working days after receipt of the application. The committee will notify the District Human Resources department regarding the member's need to use days from the bank and the number of days granted to the member. Payroll will process the days as instructed by the committee. The decision of the committee shall be final and not subject to appeal or grievance.
6. The District shall keep records of leave available in the bank and of sick leave awarded by the bank.

**ED. Legal Proceedings**

Any employee summoned to serve on a jury or subpoenaed to appear at a legal proceeding shall be granted paid leave of absence for the duration. No paid leave of absence shall be granted in a case brought by the employee against the District. In a case initiated by the employee for the purpose of promoting the employee's business interests, such leave shall be considered under the provisions of Article 14, A. Any fee the employee receives for service, excluding money received for expenses for either jury duty or court appearances, shall be remitted to the District.

**FE. Injury on Duty**

Absence due to a compensable injury as defined in ORS 656.005 (7) (a) and incurred in the course of the employee's employment shall not be charged totally against the employee's sick leave days. The District shall pay to such employee the difference between his/her regular salary and the benefits received by him/her under the Oregon Workmen's Compensation Law and applied against sick leave on a pro-rated basis of the employee's salary. The District's obligation ends when the employee's sick leave days are exhausted.

**GF. Military Leave**

In accordance with ORS 408.290, any employee who has been employed by the District for a period of six (6) months or more is entitled to a leave of absence from duties for military duty for a period of time not to exceed fifteen (15) days in any one calendar year without loss of time, pay, or regular leave. An employee shall notify the District of the dates of military leave within ten (10) days after receipt of military call-up orders or if a specific request is made by the employee within ten (10) days following the request.

**HG. Extra Duty Assignments**

District employees shall not be required to use personal leave days when participating in normal and expected activities associated with District approved extra duty assignments, clubs or competitions.

**IH. Bereavement**

~~In the event that all 3 emergency days have been utilized, district employees shall be allowed up to (3) days of absence with pay per occurrence for a death in the immediate family, as defined in Article 14, J.~~

**Employees shall be granted up to three (3) bereavement days for the death of each and any immediate family member (as defined in K, below). These days are in addition to and separate from the above mentioned personal days. These days are not cumulative year to year.**

**J.** At the discretion of the Superintendent or designee, leaves may be extended.

**KJ.** For the purposes of this article, immediate family shall include the employee's spouse, father, mother, son, daughter, brother, sister, grandparents, grandchildren, step-parents, aunts, uncles, nieces, nephews, in-laws and/or persons sharing a close personal relationship that includes a responsibility for common welfare.