

## **EMERGENCY AND DISCRETIONARY LEAVE**

Puget Sound Educational Service District (PSESD) recognizes that the demands of the workplace and of families need to be balanced to promote family stability and economic security for its employees. Conditions for the authorized use of accumulated leave for family or personal leaves are to be fairly construed in a manner consistent with this policy, and other relevant PSESD policies.

### **Emergency Leave**

Employees may use up to three (3) days Emergency Leave per year, non-cumulative from year to year and prorated based on an employee's FTE. Emergency Leave will be available upon request for each employee without loss of pay. These Emergency Leave days shall be deducted from an employee's annual sick leave.

Upon written request to the Superintendent or designee, employees may be granted additional emergency leave days with pay. Additional days may be granted: 1) if the situation is as defined in this section; 2) if the employee has sufficient sick leave balance to cover the requested days; and 3) if such request is timely and follows the regularly established absence reporting procedures.

Employees may use Emergency Leave for problems that are suddenly precipitated and are of such a nature that pre-planning is not possible or, where pre-planning cannot relieve the necessity for the employee's absence.

An employee may not take Emergency Leave in any combination for the purposes of extending vacations or holidays.

An employee may use this leave for any personal reasons of an emergency nature, including illness or injury in the immediate family, funeral of friends, and legal or personal affairs that cannot be scheduled outside the normal working day. Emergency Leave may be used as bereavement leave.

Weather conditions for local travel to and from the worksite site shall not be considered a valid reason for an Emergency Leave, except under those circumstances that the employee can demonstrate that the weather conditions created an emergency for him or her.

Emergency Leave for purposes of illness in the immediate family, legal affairs, business affairs, and/or funerals not covered by bereavement leave shall be approved by the employee's supervisor and recorded as such.

Emergency leave for other or unusual circumstances must be cleared through the Department Head and approved by the Human Resources Administrator.

Employees with special hardship situations may be granted additional emergency days by the Superintendent or designee.

### **Discretionary Leave**

Leave **with pay** may be granted according to administrative procedure for the following:

- a. Jury Duty
- b. Bereavement Leave

Leave **without pay**, and which is in the best interest of Puget Sound Educational Service District, as well as the employee, may be granted according to administrative procedure for the following:

- c. Temporary Disability Leave
- d. Educationally Related Leave
- e. Professional Leave
- f. Personal Leave
- g. Domestic Violence Leave

Unless a situation is governed by an applicable collective bargaining agreement, the following apply:

#### **A. Jury Duty**

Employees called for jury duty will be paid their full rate while on jury duty. Employees shall submit the jury duty summons to their immediate supervisor and record the hours in Employee Access for supervisor approval. During the term of jury duty, a juror may be excused from the morning roll call by the court for one or more full days. On those days, the employee will report to work.

Adopted: November 1980

Revised: October 1997

#### **B. Bereavement Leave**

Bereavement leave of up to five (5) days with pay, upon approval of the Superintendent or designee, may be taken due to the death of a member of the immediate family. *Immediate family is defined as spouse, domestic partner, children, parents, sister, brother, aunt, uncle, niece, nephew, grandparents, grandchildren, step-relationships, in-law relations and/or any legal custodial relationship.*

An employee may take one (1) day of bereavement leave for the death of non-family or non-immediate family member/s (maximum of three occurrences in a fiscal year).

Eligible employees may use earned sick leave or annual vacation leave or a combination of these for up to an additional five (5) days following bereavement leave. Employee shall follow departmental and/or agency procedure to request additional leave.

Adopted: November, 1980

Revised: June 1996

Revised: February 2003

Revised: February 2014

Revised: October 2017

### **C. Temporary Disability Leave**

Employees who, for medical reasons, cannot perform the functions of their assigned position may request up to 90 days of temporary disability leave subject to the provisions included herein:

- Request for such leave is to be made in writing to the Human Resources Administrator at least ten (10) working days in advance of requested dates of leave, circumstances permitting. Such requests will be subject to a physician's verification of disability necessitating disability leave.
- Disability leave shall be granted and shall take effect only after accrued sick leave, vacation time has been expended and shall be granted in not more than thirty (30) calendar-day increments. Continued disability beyond the initial thirty (30) calendar days shall be verified in writing by the employee's physician.
- Upon expiration of temporary disability leave, the employee shall resume the original position or a position of like status and pay, subject to a physician's verification of ability to return to work. If an employee's use of disability leave exceeds ninety (90) calendar days during a one-year period, that employee is not guaranteed a return to any staff position.
- Disability leave is leave without pay and no benefits shall be accrued while on disability leave, other than those expressed under Group Insurance.

Adopted: November 1980

### **D. Educationally Related Leave**

Educationally related leaves may be granted without compensation or fringe benefits to certificated or classified staff that have served a minimum of three (3) consecutive years with Puget Sound Educational Service District.

Staff wishing to apply for an educationally related leave shall provide a written request to the Department Head or designee and the Human Resources Administrator. The request shall outline the nature of the educational leave and the proposed time period involved. The Department Head shall secure approval from the Superintendent or designee prior to granting leave.

Upon return from educationally related leave, the employee may be returned to his/her same position or in a comparable open position for which he/she is qualified provided that the position is funded.

The employee must commit to two additional years of service with the ESD as a condition of being granted educational leave.

Adopted: November, 1980

Revised February 2014

#### **E. Professional Leave**

Staff who have served at least five years with Puget Sound ESD are eligible to apply for professional leave without compensation or fringe benefits. Staff wishing to apply for professional leave shall provide a written request to the Department Head or designee, and the Human Resources Administrator addressing the following questions:

- a. How will the proposed leave benefit Puget Sound ESD?
- b. How will the employee grow professionally as a result of the proposed leave?
- c. How is the position or project, which the employee will undertake, related to the employee's position at Puget Sound ESD?
- d. How might an adequate replacement employee be found for the interim period?
- e. What is the specific period for the requested leave?

The Department Head shall secure approval from the Superintendent or designee prior to granting leave. No professional leave may be granted for a period exceeding one year.

Upon return from professional leave, the employee may be returned to his/her same position or any other comparable open position for which he/she is qualified provided that the position is funded.

The employee must commit to two additional years of service with the PSESD as a condition of being granted professional leave.

Adopted: November 1980

Revised: December 1987

Revised: April 1992

Revised: February 2014

#### **F. Personal Leave**

Personal Leave for specific periods of time for up to one fiscal-year may be granted to employees who have served five (5) consecutive years with Puget Sound Educational Service District. Such leave will be without compensation or fringe benefits.

Staff members wishing to apply for such a leave shall provide a written request to the Department Head or designee, and the Human Resources Administrator. This request shall outline the nature of the leave and the proposed time period involved. Personal Leave may not be used to extend annual leave. The Department Head shall secure approval from the Superintendent or designee prior to granting leave.

The needs of PSESD departments, programs and services warrant primary consideration. Leaves of absence will be granted only when they will not have an undesirable impact upon PSESD programs, services or business operations. Staff on leave of absence will not earn any salary schedule experience credit or any sick leave credit or benefits during the leave of absence

Upon return from personal leave, the employee may return to his/her same position or any other comparable open position for which he/she is qualified provided that the position is funded.

Adopted: November, 1980

Revised: January 2014

### **G. Domestic Violence Leave**

Reasonable leave may be granted to employees or for employees whose family members are victims of domestic violence, sexual assault, or stalking for the following reasons:

- Seeking legal or law enforcement assistance or remedies to ensure the health and safety of the employee or employee's family member;
- Seeking treatment by a health care professional for injuries (physical or mental) caused by domestic violence, sexual assault or stalking, or to attend to health care treatment of a family member;
- Obtaining or assisting a family member in obtaining services from a domestic violence shelter, rape crisis center or other social service program;
- Obtaining or assisting a family member in obtaining mental health counseling; or
- Participating in safety planning, temporary or permanent relocation, or other actions to increase the safety of the employee or the employee's family member from future incidences of domestic violence, sexual assault or stalking.

### **Notice Requirements**

An employee desiring leave under this policy shall submit a written request five (5) days in advance of the first day of the employee's desired leave to the Department Head or designee and the Human Resources Administrator. When advance notice is not possible because of emergency or other unforeseen circumstances, the employee (or his or her designee) must give notice no later than the end of the first day the employee takes such leave.

After receiving the request, the Human Resources Administrator will approve leave from work, intermittent leave, or leave on a reduced leave schedule for a duration of time reasonably necessary to carry out the stated reasons for the leave.

### **Leave Options**

At the time of notification, the employee shall specify in writing which of the following options she/he intends to utilize during the requested leave period. If more than one of the following options is requested, the employee shall specify the exact number of days requested for each option. Leave options are:

1. Intermittent leave;
2. Leave on a reduced leave schedule;
3. Accumulated sick leave, annual leave, or compensatory time with pay
4. Leave without pay; or
5. A combination of (1) and (2) and (3) and/or (4).

### **Verification**

An employee's request for leave must include verification that the employee or the employee's family member is a victim of domestic violence, sexual assault, or stalking and that leave was for one of the reasons set forth above. Family member includes a child, spouse, parent, parent in-law, grandparent or an individual with whom the victim has a dating relationship. If verification is not immediately available, it should be provided within five (5) calendar days after the leave request, or as soon thereafter as it may be obtained.

An employee may satisfy the verification requirement by providing one or more of the following:

- Police report;
- Court order;
- Documentation from a victim's advocate, attorney, clergy member, or medical or other professional assisting the employee or family member;
- Written statement by the employee requesting the leave; and
- Verification of familial relationship if the leave is taken to assist the employee's family member. Family member means an employee's child, spouse, parent, parent-in-law, grandparent, or person with whom the employee has a dating relationship.

### **Confidentiality**

The ESD shall maintain the confidentiality of all information provided by the employee under this policy, including the fact that the employee or the employee's family member is a victim of a domestic violence, sexual assault, or stalking, and any written or oral statement, documentation, record, or corroborating evidence provided by the employee.

Disclosure of information given by the employee may only be disclosed by the PSESD if: (1) requested or consented to by the employee; (2) ordered by a court or administrative agency; or (3) otherwise required by applicable federal or state law.

### **Reinstatement**

Upon return from leave, the PSESD shall restore the employee to the position of employment held by the employee when the leave commenced or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

This section does not apply where the employee was hired on a temporary basis, for a specific term, or only to perform work on a discrete project.

### **Other Employee Rights**

To the extent allowed by law, the PSESD shall maintain coverage under any health insurance plan for an employee who takes leave under this policy. The coverage will be maintained for the duration of the leave at the level and under the conditions coverage would have been provided if the employee had not taken the leave.

Adopted: January 2012

Revised: February 2014

## **H. Flexible Leave**

Puget Sound ESD recognizes that employees who work according to a school schedule/calendar do not accrue annual leave and have limited access to personal leave beyond pre-defined dates. For these employees, the following provisions shall apply:

- Employees may use up to three (3) Flexible Leave days, non-cumulative from year to - year and pro-rated based on an employee's FTE. Flexible Leave will be available upon request and approval for each employee without loss of pay. These Flexible Leave days shall be deducted from an employee's sick leave balance.
- Employees may use this leave for a purpose they believe to be sufficient to warrant their absence from their assigned responsibility.
- Employees may use this leave in daily or hourly increments.
- An employee planning to use Flexible Leave day(s) shall request of their supervisor at least two (2) days in advance to support sufficient coverage and continuity of business operations.
- Program managers/supervisors maintain discretionary approval of requests.
- An employee may not take Flexible Leave in any combination for the purpose of extending other approved leave, i.e. sick leave, emergency leave, holiday leave, etc.

Adopted: December 2016

Relevant PSESD Board Governance Policies: EL 4, Treatment of Staff

Cross Reference:	Operating Policy No. 1000 Operating Policy No. 1010 Operating Policy No. 5400	Non Discrimination Racial Discrimination Personnel Leaves
Legal References:	RCW 28A.400.300  RCW 49.12.270  Chapter 49.76 RCW	Hiring and discharging employees — Written leave policies — Seniority and leave benefits of employees transferring between school districts Sick leave, time off — Care of family members Domestic Violence Leave