

Policy
Employee Leaves and Absences

Descriptor Code: GARH

This policy shall apply to all employees of the Dodge County Board of Education. All employees are required to follow the work calendar established by the Board of Education and may take leave from work only in accordance with this policy or other leave policies enacted by the Board of Education. Unless otherwise provided by the Board of Education, principals and other supervisors are not authorized to rearrange the work calendars of employees.

ACCUAL OF SICK LEAVE AND ABSENCE FOR MEDICAL AND RELATED REASONS

Each employee of the Board of Education shall be entitled to sick leave, with full pay, computed on the basis of one and one-fourth working days for each completed month school month of service, cumulative up to 45 days.

Sick leave may be taken for absence due to illness, injury, or other temporary disability, or necessitated by exposure to contagious disease in which the health of others would be endangered by his/her attendance, or for illness or death in the employee's immediate family.

Employees transferring from one Georgia school system to another shall be credited with any unused sick leave accumulated by such employee up to 45 days accumulation as mandated by law.

For absences above those entitled by this policy, an amount equal to one day's salary for each day's absence shall be deducted.

Absences resulting from the following causes shall be chargeable to sick leave:

1. Personal illness or critical illness in the immediate family.
2. Death in the immediate family.
 - a. Members of immediate family shall be confined to father, mother, grandfather, grandmother, husband or wife, son, daughter, brother, sister, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law or relatives living in the home of the employee.
 - b. The number of days allowed for death in the family shall be three(3).

Short Term

Short term sick leave shall be defined as absence for ten (10) working days or less.

The Board may from time to time require permission to be given by the principal before short term sick leave is taken, and/or a doctor's certificate of the teacher's inability to be present.

Long Term

Long term sick leave shall be defined as absence for eleven (11) working days or longer.

Employees granted leave for longer than the actual period of their physical disability are not covered under this policy.

Long term sick leave shall be granted employees in accordance with the following guidelines:

(1) Notice - Physician Statement. The employee shall notify the Superintendent of his/her intention to take such leave as soon as practical. The notice shall be accompanied by a doctor's statement of anticipate date and length of physical disability.

(2) Determination of Commencement of Leave. The long term sick leave shall begin at the time to be determined by the employee, the physician and the Superintendent. The employee anticipating physical disability may continue in active employment as long as he/she is able to properly perform the required functions of his/her job.

In case of dispute, final determination of his/her ability to so perform shall be made by the Board of Education after a hearing in which the teacher and the Superintendent or other representatives of the local system shall be heard. The Superintendent or Board may require that the employee submit to an examination by a physician selected and paid by the Board, and a refusal by the employee to submit to such examination shall be grounds for terminating the contract or other employment of such employee.

If the Superintendent determines that the status of an employee's ability to perform properly the required functions of his/her job may change within a short period of time, the Superintendent may require that the employee present a physician's statement on a weekly basis.

(3) Sick Leave Benefits. The employee shall be entitled to utilize all of his/her accumulated sick leave for long term absences due to illness, injury, or other temporary disability, or other causes described previously.

(4) Duration - Return to Work. An employee who has been granted long term sick leave shall be entitled to return to active employment upon presentation of a physician's statement certifying that he/she is able to perform the required functions of the job. If the Superintendent and Board concur with such statement, the employee shall return to work in accordance therewith, to be assigned to a substantially equivalent position to be approved by the Superintendent.

In case of dispute, final determination of his/her ability to so return shall be made by the Board of Education after a hearing in which the teacher and the Superintendent or other representatives of the local system shall be heard. The Superintendent or Board may require that the employee submit to an examination by a physician selected and paid by the Board and a refusal of the employee to submit shall be grounds for termination, or not issuing a new contract if the employee wishes to return at the beginning of the new school year.

In any instance, an employee's return to active employment may be delayed until the beginning of a quarter or semester.

(5) School System's Responsibility to Employee. Each employee wishing to apply for long-term sick leave shall be given a copy of this policy.

Each grant of long-term sick leave shall specify the beginning and ending of such leave (e.g., from beginning to end of physical disability; from beginning of physical disability to the first quarter semester beginning after the end of the employee's physical disability; from that date to the end of the school year, etc.). An employee who does not request his/her return to work in accordance with the provisions of #4 above when his/her grant of long-term sick leave says he/she will return to work without receiving a change in his/her long-term status from the Superintendent shall forfeit all further rights under this policy.

Nothing in this policy shall be construed to confer on an employee any rights to continued employment which they do not have under (1) the Fair Dismissal Law of Georgia, or (2) the Constitution of the United States.

PERSONAL LEAVE

Up to three days of sick leave may be used by the teacher for personal reasons and at the teacher's discretion, provided that:

1. The principal recommends approval of the leave to the Superintendent.
2. Two weeks notice is given to provide adequate lead time to secure substitute teachers and lesson plans from the teacher requesting personal leave.
3. Leave shall not be taken preceding or following a school holiday or vacation period.

In emergency situations, the two weeks notice may be waived.

The days used for personal leave will be deducted from the number of days that can be accumulated from sick leave. Personal leave days are not cumulative from year to year.

PROFESSIONAL LEAVE

Leave for personnel to attend professional conferences shall be requested at least one week prior to the date of the leave.

Professional leave may be granted for attendance at meetings of professional organizations in-state; however, travel and expenses will not be reimbursed, unless approved by the Dodge County Board of Education.

Employees incurring expenses for staff development and/or professional conferences for which prior approval has been granted will be reimbursed by the Dodge County Board of Education.

OBSERVANCE OF RELIGIOUS HOLIDAYS

Employees may use personal leave for the observance of recognized religious holidays. If an employee desires to take leave for the observance of recognized religious holidays in excess of the days allowed for personal leave, the employee may take unpaid leave for such purposes provided that such leave is not excessive and does not interfere with fulfilling the obligations of his or her job.

JURY AND WITNESS LEAVE

Each person employed by the Board shall be allowed leave with pay for the purposes of serving as a juror in any court or when attending a judicial proceeding in response to a subpoena or other court order or process that requires the employee's attendance at the judicial proceeding. Jury and/or witness leave shall not be deducted from an individual's accumulated personal, professional or sick leave. No employee utilizing jury and witness leave shall be required to pay the cost of employing a substitute to serve during his or her absence for such leave. Employees who serve on juries or who are subpoenaed to attend a judicial proceeding must sign over the jury/witness pay they receive to the Board of Education.

MILITARY LEAVE

All employees of the Board of Education are entitled to paid leave not to exceed eighteen days in any one federal fiscal year for the purpose of complying with ordered military leave duty

with the armed forces of the United States or State of Georgia, including duty as a voluntary member of the militia or reserve component of the United States or State of Georgia. Employees also are entitled to leave not exceeding thirty days in any one federal fiscal year if ordered to duty as a result of the declaration of any emergency by the governor or the appropriate officials of the United States armed forces. Employees who have military commitments shall inform the Superintendent or designee annually and shall cooperate to the extent possible in scheduling such leave so as to minimize the disruption in those employees' duties and the mission of the Board of Education.

BEREAVEMENT LEAVE

In the event of a death in the immediate family, as defined above under "sick leave", a leave of absence will be granted in accordance with rules and regulations of the Board.

All such bereavement leave will be charged against the employee's sick leave.

FAMILY & MEDICAL LEAVE ACT

To the extent that any provision in this policy conflicts with or is superseded by the Family and Medical Leave Act ("FMLA"), the regulations promulgated thereunder, or any other federal law, the provision of the FMLA, its regulations or other law, as the case may be, control.

Dodge County Schools

Date Adopted: 8/10/2009

State Reference	Description
O.C.G.A 20-02-0850	<u>Sick leave for teachers and other personnel</u>
O.C.G.A 20-02-0851	<u>Use of accumulated sick leave for personal or professional reasons</u>
O.C.G.A 20-02-0852	<u>Maternity leave</u>
O.C.G.A 20-02-0853	<u>Accumulation of and payment for unused sick leave</u>
O.C.G.A 20-02-0870	<u>Right to leave for jury duty or when subpoenaed</u>
O.C.G.A 20-02-1110	<u>School bus drivers - sick leave with pay; accumulation of unused sick leave</u>
O.C.G.A 20-02-1111	<u>School bus drivers - accumulated sick leave for personal reasons</u>
O.C.G.A 20-02-1190	<u>Allotment of state funds for sick leave - food service personnel</u>
O.C.G.A 20-02-1191	<u>Requirements for sick leave programs for school food service employees</u>
O.C.G.A 21-02-0404	<u>Affording employees time off to vote</u>
O.C.G.A 34-01-0003	

	<u>Discrimination against employee for attending judicial proceeding in response to subpoena prohibited</u>
O.C.G.A 38-02-0279	<u>Rights of public officers and employees absent on military duty</u>
O.C.G.A 45-20-0030	<u>Leave of absence for blood donation</u>
O.C.G.A 47-03-0092	<u>Absence from employment due to sick leave; TRS creditable service</u>
O.C.G.A. 20-02-0182	<u>Program weights to reflect funds for payment of salaries and benefits</u>
Federal Reference	Description
29 CFR Part 825	<u>The Family and Medical Leave Act of 1993 - Regulations</u>
29 USC 2601	<u>Family and Medical Leave Act</u>

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.