

**Board Policy GARH: Employee Leaves and Absences**

**Status:** ADOPTED

**Original Adopted Date:** 01/17/2012 | **Last Revised Date:** 08/17/2021 | **Last Reviewed Date:** 08/17/2021

This policy shall apply to all benefits-eligible employees of the Board of Education ("the Board"). All employees are required to follow the appropriate work calendar established by the Board for their positions and may take leave from work only in accordance with this policy or other leave policies enacted by the Board. Unless otherwise provided by the Board, principals and other supervisors are not authorized to rearrange the work calendars of employees. Deductions in pay will be made for absences not covered by this policy.

**ACCUAL OF SICK LEAVE AND ABSENCE FOR MEDICAL AND RELATED REASONS**

Each benefits-eligible employee of the Board shall be allowed to earn sick leave, with full pay, computed on the basis of one and one-fourth (1 1/4) working days for each completed month of service. All employees may accumulate unused sick leave from one fiscal year to the next up to a maximum of 60 days, although the Teacher Retirement System of Georgia allows participating employees to accumulate an unlimited number of unused sick leave days for credit toward retirement. Sick leave accumulated by a certificated employee or bus driver is transferable from one school system to another, up to a maximum of 45 days. Accumulated leave earned by a certificated employee must be forfeited if such employee withdraws from service for twelve or more consecutive months, but such forfeited leave may be reinstated in accordance with the provisions of O.C.G.A. § 20-2-850. Accumulated leave earned by a bus driver under O.C.G.A. § 20-2-1110 must be forfeited if the driver withdraws from service for 24 or more consecutive months.

Sick leave may be used upon the approval of the Superintendent or designee for absence due to personal illness or injury, exposure to contagious diseases, or for absences necessitated by illness or death in the employee's immediate family. For any absence in which sick leave is used, the Superintendent or designee may require a physician's certificate stating that the employee is ill and is unable to perform his or her duties. In the event that sick leave is used to care for a member of the immediate family, the Superintendent or designee may require a physician's certificate stating that the employee is needed to care for the sick family member. If an employee is absent for 5 consecutive days of sick leave, a physician's certificate may be required at the discretion of the Superintendent or designee.

For the purposes of absences for medical and related reasons, members of the immediate family are defined as an employee's child, spouse, grandchild, grandparent, parent, siblings, in-law equivalents, or dependent as shown in the employee's most recent tax return.

**SICK LEAVE DONATIONS BETWEEN EMPLOYED SPOUSES**

An employee may donate up to ten (10) days of sick leave to his/her spouse who is also an employee of the school district for purposes of maternity leave, illness, or illness or death of a family member.

**FAMILY AND MEDICAL LEAVE ACT (FMLA)**

See board Policy GBRIG.

**PERSONAL AND PROFESSIONAL LEAVE**

Employees may use up to (3) days of accumulated sick leave for personal or professional leave if prior approval has been given and if the presence of the employee requesting absence is not essential for effective school operation.

A leave form must be filed at least 5 days prior to the time the employee will be absent and must be approved by the Superintendent or designee prior to leave. Unless otherwise approved by the Superintendent or designee, personal and professional leave will not be granted during pre-planning, post-planning, in-service days or on the day before or day after holidays. In addition, personal leave will not be granted during the first week of the student school year or during the last week of the student school year, unless the Superintendent or designee, in his or her discretion, determines that such leave should be granted. The Superintendent or designee may refuse to allow an employee to take personal or professional leave if qualified substitutes are not available. Employees are not required to disclose the purpose for which such absence is sought but may be required to state whether the absence is for "personal" or "professional" reasons.

Professional leave taken at the request of the school district or when required in conjunction with the district's

routine professional development or training activities will not be charged against the employee's sick leave.

### **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 employee 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 in a work-related matter. Jury and/or witness leave shall not be deducted from an individual's accumulated personal, professional or sick leave. No employee utilizing jury or 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 in a work-related matter may keep any jury/witness pay they receive.

### **MILITARY LEAVE**

All employees are entitled to paid leave not to exceed eighteen days in any one federal fiscal year for the purpose of complying with ordered military duty with the armed forces of the United States or State of Georgia, including duty as a voluntary member of the National Guard or any reserve component of the United States or State of Georgia. In the event the Governor declares an emergency that results in an employee being ordered to military duty as a member of the National Guard, the employee is entitled to leave not exceeding thirty days in any one federal fiscal year. Employees who have military commitments shall inform the Superintendent or designee annually, provide a copy of the official military orders, and 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**

When employees are absent due to death in the immediate family, bereavement leave will be charged against the employee's accumulated sick leave. The term "immediate family" shall be interpreted to mean spouse, child, parent, sibling, or grandparent of the employee; parent or sibling of the employee's spouse; or a relative living in the employee's residence. Employees may use personal leave for absence due to death of individuals other than immediate family members upon approval of the Superintendent or designee. If the employee desires to take bereavement leave in excess of the days allowed for personal leave, the employee may request to take unpaid leave.

### **PAID PARENTAL LEAVE**

The Board of Education shall make paid parental leave equally available to all eligible employees of the Board of Education under the following terms:

1. An employee of the Board of Education shall be eligible for paid parental leave for qualifying life events upon satisfying the following criteria:
  - a. The employee is classified as a full-time by the District and is eligible to participate in the TRS (Teacher Retirement System of Georgia) or the PSERS (Public School Employees Retirement System); and
  - b. The employee has six continuous months of employment with the Board, regardless of whether he or she is eligible for paid or unpaid leave under federal law. An employee paid on an hourly basis must have worked a minimum of 700 hours over the six-month period immediately preceding the requested paid parental leave date.
2. A qualifying life event means:
  - a. The birth of a child of an eligible employee; or
  - b. The placement of a minor child for adoption with an eligible employee; or
  - c. The placement of a minor child for foster care with an eligible employee.
3. The maximum amount of paid parental leave that may be taken by an eligible employee during a rolling 12-month period is 120 hours, regardless of the number of qualifying life events that occur during such period.
  - a. The rolling 12-month period shall be measured backward from the date an eligible employee first uses parental leave.
  - b. Parental leave may be taken as needed and may be taken in increments of less than eight hours. The smallest

increment of parental leave that may be taken is two (2) hours.

c. Any unused paid parental leave that remains 12 months after the qualifying event shall not carry over for future use.

d. Unused paid parental leave shall have no cash value at any time of the eligible employee's separation from employment with the Board of Education.

4. Paid parental leave under state law shall run concurrently with any leave provided under federal law.

5. Eligible employees requesting paid parental leave must submit the district's designated form to the Superintendent or designee at least thirty (30 ) school days in advance of the requested leave start date.

6. The Superintendent or designee shall develop paperwork needed to administer paid parental leave, which shall specify the documentation required to establish the existence of a qualifying life event.

#### **DISCLAIMER**

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 there under, or any other federal or state law, the provisions of the applicable law or its regulations, as the case may be, shall control.

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