

## PERSONNEL

### Personal Reasons Leave

Personal reasons leave will be governed by the following:

#### A. Earning Personal Reasons Leave

1. Full-time benefit eligible 10-month and 11-month employees are front-loaded the hourly equivalent of ~~two (2)~~ three (3) workdays of personal reasons leave. Part-time employees, as defined in Policy 4-1, will earn personal reasons leave on a prorated basis.
2. Personal Reasons leave will be front-loaded at the time employment begins, and at the beginning of each fiscal year thereafter. Employees who are hired after the beginning of their work calendar for the current fiscal year will be front-loaded a prorated amount of personal reasons leave.

#### B. Accumulation of Personal Reasons Leave

1. Employees with less than three (3) years of service may accumulate a maximum of the hourly equivalent of three (3) personal reasons leave days for use in a given school year. Any accumulated balance of personal reasons leave in excess of the hourly equivalent of three (3) workdays will convert to sick leave at the beginning of each fiscal year.
2. An employee with three (3) or more years of service with the School Division may accumulate up to the hourly equivalent of eight (8) workdays. Any accumulated balance of personal reasons leave in excess of the hourly equivalent of eight (8) workdays will convert to sick leave at the beginning of each fiscal year.
3. “Years of service”, for purposes of this Regulation, includes previous service experience as a Virginia Beach City Public Schools (VBCPS) employee.
4. Service experience with the City of Virginia Beach may also be used to gain service experience, and it is the employee’s responsibility to provide the appropriate service verification. A VRS Plan 1 or Plan 2 employee hired from the City of Virginia Beach (COVB) into a position with VBCPS that earns personal reasons leave shall be permitted to convert up to three (3) workdays of leave from COVB to personal reasons leave. It is the employee’s responsibility to initiate the transfer of leave into the School Division.
5. Hybrid employees who have achieved the maximum sick leave balance of ninety (90) workdays may not have excess personal reasons leave converted to sick leave.

#### C. Use of Personal Reasons Leave

1. The minimum amount of personal reasons leave taken must equal one (1) hour. Thereafter, leave may be used in one-half hour increments.
2. The School Division shall at all times retain the right to designate an employee's leave as Family Medical Leave in accordance with the Family and Medical Leave Act (FMLA). Family members covered under the FMLA are defined in Regulation 4.55.1 Family and Medical Leave.

#### **D. Additional Leave**

~~To encourage prudent use of sick leave, personal reasons leave will be granted at the hourly equivalent of one (1) additional workday for meeting the following criteria:~~

- ~~1. Employees with one (1) or two (2) year(s) of Virginia Beach City Public Schools service who have not used the hourly equivalent of one (1) workday of sick leave with the School Division during the preceding school year.~~
- ~~2. Employees with three (3) or more years of Virginia Beach City Public Schools service must not have used the hourly equivalent of nine (9) workdays of sick leave during the preceding three (3) school years.~~

1. In appreciation for employees' service to VBCPS, active full-time benefit eligible 10-month and 11-month employees will receive a one-time award of personal reasons leave for the following service milestones:

- a. 5-year service award: the hourly equivalent of one-half (1/2) workday
- b. 10 and 15-year service awards: the hourly equivalent of one (1) workday
- c. 20 and 25-year service awards: the hourly equivalent of one and one-half (1 ½) workdays
- d. 30 and 35-year service awards: the hourly equivalent of two (2) workdays
- e. 40 and 45-year service awards: the hourly equivalent of three (3) workdays

2. The personal reasons leave award will be added to the employee's leave balance in the month of October following the school year in which the service milestone was reached<sup>1</sup>, and the employee shall receive notification from Human Resources.

#### **E. Application for Personal Reasons Leave**

1. Employees are responsible for knowing their personal reasons leave balance. Employees should request use of their available leave by submitting the appropriate leave request form to their principal, director, department head, or designee at least two full (2)

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<sup>1</sup> Employees hired between July 1 and January 31 of a school year will receive one year of credit towards the 5-year service award. Employees hired after January 31 of the school year will not receive credit towards the service award.

workdays prior to the date for which leave is being requested. In case of an emergency, the two (2) full workday notification may be waived by the principal, director, department head, or designee.

Leave without pay will result if requested leave hours exceed the employee's available leave balance at the time leave is taken; approved leave requests do not guarantee paid leave. The purpose for the use of personal reasons leave need not be stated.

2. Decisions to approve or deny personal reasons leave requests may only be made by the principal, director, department head, or designee, and must be applied consistently within a school, department, or work unit. Leave requests may be disapproved for the following reasons:

~~1.~~ a. Unavailability of substitute;

~~2.~~ b. Previously scheduled and announced activities at the school or department requiring the presence of the employee;

~~3.~~ c. Lack of available personal reasons leave;

~~4.~~ d. Continuity of student instruction; and/or

~~5.~~ e. Other good and just cause, including but not limited to, a high absenteeism rate.

3. Unless extenuating circumstances are established, leave requests for the following periods will normally be disapproved for school-based personnel:

~~1.~~ a. \_\_\_\_\_ Days during the first ten (10) workdays and the last ten (10) workdays of the school term; and

~~2.~~ b. \_\_\_\_\_ The day before or after a holiday period.

4. If an employee's request for leave is not approved, but the employee still takes the requested time off from work, the employee may be subject to leave without pay as well as disciplinary action, up to and including dismissal.

## **F. Adjustments**

1. Changes that occur within a fiscal year to an employee's employment status, work calendar, daily hours, or contracted months may result in adjustments to front-loaded leave. Adjustments may result in the employee having to make a monetary refund to the School Division.

2. An employee on a leave of absence will not be front-loaded personal reasons leave after twelve (12) consecutive workweeks of leave, paid or unpaid, regardless of the type of leave to which the absence is charged, including short-term disability (STD) under the Virginia Local Disability Program (VLDP); or while in a non-working Long Term

Disability (LTD) status under VLDP; or on Leave for Long-term Illness or Injury of an Employee or Family Member in accordance with Regulation 4-53.4.

3. The Department of Human Resources reserves the right to adjust front-loaded personal reasons leave to prevent an overpayment.

## **G. Termination**

1. When an employee terminates employment with the School Division, any remaining personal reasons leave will be paid out at the employee's hourly equivalent rate, per diem.
2. In the event an employee terminates employment before front-loaded personal reasons leave hours are earned, the employee will make proper monetary refund to the School Division.
3. It shall be the responsibility of employees prior to transitioning between Virginia Beach City Public Schools and the City of Virginia Beach to initiate their personal reasons leave payout or the transfer of their personal reasons leave by providing a written request to their respective Human Resources department.

### **Editor's Note**

*See Policy 4-1 Definitions*

*See Regulation 4-45.1 Sick Leave*

*See Regulation 4-53.4 Leave for Long-term Illness or Injury of an Employee or Family Member*

*See Regulation 4-55.1 Family and Medical Leave*

*See Regulation 4-45.4 Disability Programs for Employees in the Virginia Retirement System (VRS) Hybrid Plan*

### **Related Links**

School Board Policy 4-1

School Board Regulation 4-45.1

School Board Regulation 4-53.4

School Board Regulation 4-55.1

School Board Regulation 4-45.4

### **Legal Reference**

The Family Medical Leave Act, 29 U.S.C. § 2602 *et seq.*, as amended.

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APPROVED AS TO  
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