

GAA. LEAVES, BENEFITS, STAFF DEVELOPMENT, AND TRAVEL

a) GBB1. Leaves

The District believes that the regular attendance of employees is vital to the success of the District's educational program. Accordingly, employees are expected to report to work every day. However, the District does recognize that certain absences may be unavoidable. Therefore, full-time, year-round employees not covered by collective bargaining agreements are eligible for the following leaves:

2. Sick Leave

a. Policy

The District expects each employee to be available for work on a regular and reliable basis. The District will monitor attendance and leave use whether or not the employee has accumulated leave balances remaining in his/her sick leave account(s).

b. Sick Leave Accrual

Licensed employees will be credited with fifteen (15) days of sick leave at the beginning of each school year. Unused sick leave will continue to be carried over and added to the employee's sick leave balance up to a maximum of one hundred eighty (180) days. Sick leave accrual will cease when the employee's sick leave balance reaches one hundred eighty (180) days.

c. Use of Sick Leave

Sick leave is for use in those situations in which the employee must be absent from work due to

- 1) His/her own physical illness or injury.
- 2) His/her own exposure to contagious diseases or when attendance at work is prevented by public health requirements.
- 3) The need to care for a dependent child, spouse, or parent who resides with the employee or who is dependent upon the employee for support.
- 4) Medical or dental appointments for the employee provided that the employee makes a reasonable effort to schedule such appointments at times which have the least interference with the work day.
- 5) Any disability, including disability caused or contributed to by pregnancy, miscarriage, abortion, or childbirth.
- 6) A serious illness, accident, or death in the family. For purposes of this policy, "family" is defined as parent, spouse, or child for serious illness and accident. When a death has occurred, "family" is defined as an individual within the third degree of consanguinity or affinity as outlined on *Appendix GFA. Consanguinity/Affinity Chart*.

No employee shall be entitled to sick leave because of a condition arising from an injury purposely self-inflicted or caused by the employee's own willful misconduct.

Employees who are absent from work due to sick leave shall be at their residence, a medical facility, their doctor's office, or shall notify their supervisor of their whereabouts when using sick leave.

d. Abuse of Sick Leave

Use of sick leave for any purpose other than one listed in paragraph c above is evidence of abuse of sick leave. Abuse of sick leave is cause for disciplinary action, up to and including termination.

e. Return-to-Work

An employee on sick leave shall notify his/her administrator or manager/supervisor as soon as the employee is able to return to work. An employee returning from an extended absence shall give as much advance notice of return as possible. The District may also require a statement from a licensed physician or health practitioner certifying the employee's fitness to return to work.

f. Procedure

1) Leave Approval

An employee shall complete an appropriate leave request form as soon as the need for a leave is known. The District shall determine whether to approve use of accrued sick leave and shall approve such a request whenever it is deemed reasonable.

2) Notification

Any employee who is ill or unable to report to work for any reason shall notify his/her immediate supervisor no later than 30 minutes prior to the employee's normal work reporting time. In the event of a continuing illness, the employee shall continue to notify his/her immediate supervisor of his/her condition on a daily basis or at appropriate intervals authorized by the supervisor. The District may deny sick leave requests which are not in compliance with this policy.

3) Doctor's Certification

The District may require an employee to provide a medical doctor's statement certifying that the illness/injury incapacitated the employee from performing his/her duties, or that the employee's absence was necessary for him/her to make full and timely recovery or was appropriate to avoid the spread of a contagious disease. The statement will also certify the employee's fitness for return to work. A medical doctor's statement is required when specifically requested by the administrator or manager/ supervisor. Whenever an employee qualifies for FMLA leave, the employee is required to submit to the District the *Certification of Health Care Provider* form referenced in the FMLA Policy.

3. Leave of Absence without Pay

a. Policy

The District may approve leaves of absence without pay for up to six (6) months for classified employees and up to one year for licensed employees. Such approval will be for exceptional circumstances and conditions, such as education or prolonged illness, when the approval of such leave is consistent with the District's needs, when the work of the office or department will not be impeded by the employee's absence, and when the leave will not require

the appropriation of additional funds for the operation of the employee's department. The District will require the use of all accrued paid leave prior to granting leave without pay.

a. Procedure

1) Approval – Less Than 30 Days

Leaves of absence without pay not exceeding thirty (30) days may be granted by the supervisor/designee.

2) Approval – More Than 30 Days

The Board of Trustees may grant a leave in excess of thirty (30) days following written certification by the employee that the leave is consistent with the intent of this section.

3) Purpose

Leaves of absence without pay will not be granted for the purpose of seeking or accepting other employment, except when or if the District determines that the granting of such leave is in its best interest.

4) District Termination of Leave

The District may terminate any leave of absence without pay, except those granted pursuant to statute or regulation, prior to its expiration by providing written notice to the employee. The document granting the leave of absence will state the terms of the leave and any reason(s) for terminating such leave. Upon receipt of notice of termination of the leave, the employee is required to return to work within five (5) calendar days. In the event the District terminates a leave of absence, the employee will be returned to the same class or position s/he occupied when the leave of absence was granted.

5) Failure to Return

An employee who fails to return to duty within five (5) calendar days of notification of termination of leave is considered to have abandoned his/her employment, unless there is a proven compelling reason beyond the control of the employee.

6) Insurance

Employees on approved leave of absence without pay may continue their medical, dental, and life insurance coverage in accordance with COBRA health benefit continuation regulations.

7) Return from Leave

Granting of a leave of absence without pay does not guarantee immediate reinstatement to paid status provided, however, employees returning from leave taken pursuant to the Family and Medical Leave Act (FMLA) shall have the right to immediate reinstatement at the end of the approved leave. An employee who does not return from a leave of absence without pay on the first work day following the end of a leave will be considered to have resigned.

8) Medical Leaves

The District may require a physician's certification or other appropriate type of verification to substantiate a need for a medical leave of absence without pay.

9) Seniority

An employee's seniority date will be reduced by the number of days off work for all unpaid leaves of absence in excess of fifteen (15) days during any 12 month period in accordance with any relevant terms of a collective bargaining agreement. (Also see special provisions below for Military Leave in *Section 6*.)

10) Benefit Accrual

If an employee is on unpaid leave for more than one-half (1/2) of his/her regularly scheduled work hours in any leave accrual period, no leave benefits shall be accrued for that period, nor shall the District contribute toward the cost of insurance benefits.

4. Court Leave

a. When Granted

Court leave will be granted to allow employees to serve as a juror or as a witness in a court proceeding, provided that neither the employee nor the employee's collective bargaining representative is a party to the action. Employees shall provide their administrator or manager/supervisor with relevant documents verifying the need for court leave as soon as the need becomes known.

b. Compensation

Subject to the following conditions, eligible employees shall receive their regular base rate of pay for those hours spent in court and traveling to and from the court when such time occurs during the employee's regularly scheduled work days and hours of work.

1) The employee's regular rate of pay shall be limited to compensation for court and travel time which occurs during the employee's regularly scheduled hours of work. Court leave will not result in payment of overtime or be considered as hours worked for purposes of determining eligibility for overtime.

2) Upon completion of jury/court/witness service for which the employee received his/her regular pay, the employee will immediately forward any compensation received from the court or other party to the District upon receipt. Reimbursements received for out-of-pocket expenses, such as meals, mileage, and lodging, may be kept by employees unless the District has reimbursed the employee for such expenses or such expenses were paid by the District.

3) An employee shall not receive pay for the work time missed if s/he is required to miss work because of court appearances in a matter to which the employee is a party or to serve as a witness for a party who has filed an action against the District. However, the employee may choose to use his/her annual leave.

c. Late Start/Early Release

An employee who is not required to report to court until the middle of his/her work schedule or who is released from court/jury duty before the end of his/her work schedule shall report to work for the hours which are not required for court duty or for related travel time.

4. Military Leave

Employees who are members of the National Guard or Federal Reserve Military Units are entitled to military leave and to re-employment rights as provided in 38

USC, Sections 4312 – 4318 and the relevant sections of the Nevada Revised Statutes.

5. Disaster Area Declaration

d. “Disaster Area” is defined as a designated area affected by an event declared to be a disaster by a state or federal governmental agency duly authorized to make such designation. Employees who are unable to report to work due to a disaster may use accrued annual leave or compensatory leave time as compensation for scheduled time not worked.

e. Employees shall make every effort to report to work as soon as is reasonable under such conditions, provided the District’s operation is open and functioning. An employee who has made such an effort, yet fails to report to work under such declared “disaster” conditions, shall not be subject to discipline. Employees shall make every effort to report their circumstances to their immediate supervisor.

6. Blood Donor Leave

Employees may be granted reasonable time off during their normal work schedule for the purpose of donating blood when participating in a District-sponsored or supported blood donation drive. All such absences shall be scheduled with the employee’s supervisor. In no event shall an employee be eligible for overtime as a result of donating blood.

NO ADMINISTRATIVE REGULATION

END OF POLICY

Legal Reference: 38 USC, Sections 4312–4318