

## **Paid Time Off Leave**

The Board recognizes that there may be times when an employee is unable to fulfill the duties of their position due to illness or personal business. Therefore, paid leave is provided for full-time employees in accordance with this policy. Sick leave is provided for part-time employees.

### **Accrual and Use**

Paid leave may be accumulated without limit at the rate of one (1) day per month for full-time employees. Paid sick leave may be accumulated without limit for part-time employees at a rate of one (1) hour per 30 hours worked.

Paid time off leave may be utilized for the following reasons:

1. Personal mental or physical illness, injury, or health condition or the need to obtain medical care or the need to evacuate from an employee's place of residence due to inclement weather or other unexpected events;
2. The necessary care and attendance for the employee's family member who has a mental or physical illness, injury, or health condition or the need to obtain medical care, or whose school or place of care has been closed due to inclement weather or other unexpected events;
3. Seeking medical attention or related services if the employee or a member of the employee's family has been the victim of domestic abuse, sexual assault, or harassment;
4. The district has been ordered to close by a public official due to a public health emergency;
5. The school or childcare provider for the employee's child has been ordered to close by a public official due to a public health emergency and the employee needs to be absent from work to care for their child, or
6. Bereavement, including funeral services and other financial or legal matters, after the death of a family member.

Paid time off leave may be taken for these additional reasons:

1. Personal business of the employee.

Employees shall indicate the purpose for the use of the leave.

Leave shall not be used for vacation.

No greater than 5% of all employees may use paid leave for personal business on the days preceding and directly after Thanksgiving, Winter, and Spring breaks and the first and last student day of the school year.

For paid leave purposes, the term "family member" means a member of the employee's immediate family (a person who is related by blood, marriage, civil union, or adoption), a child to whom the employee stands in loco parentis or a person who stood in loco parentis to the employee when the employee was a minor, or a person for whom the employee is responsible for providing or arranging health- or safety-related care. Exceptions may be made by the superintendent.

Documentation may be required for approval of taking three (3) or more consecutive paid days. Any health or safety information relating to an employee or employee's family member will be maintained on a separate form and in a separate file from other personnel information, treated as confidential medical records, and will not be disclosed except to the affected employee or with the express permission of the affected employee.

### **Accumulated unused leave time and separation from the district**

Upon separation from the District, the employee will receive the following based on the number of years of service:

- 5 Years- Up to fifteen (15) days of accumulated and unused paid time off leave at a rate of One Hundred Thirty Dollars (\$130.00).
- 10 Years- Up to thirty (30) days of accumulated and unused paid time off leave at a rate of One Hundred Thirty Dollars (\$130.00).
- 15 Years- Up to sixty (60) days of accumulated and unused paid time off leave at a rate of One Hundred Thirty Dollars (\$130.00).

Beginning with the 2023-24 school year, an employee that has fifteen (15) days of accumulated and unused paid time off leave has the option to receive the leave time accumulated during the school year. The employee may receive up to three (3) days of accumulated and unused leave at a rate of One Hundred Thirty Dollars (\$130.00) per year. The employee must request the payout by May 1 each school year.

The maximum compensation shall be Seven Thousand Eight Hundred Dollars (\$7,800.00) if paid at the time of separation from the District or during the course of the employee's employment. The payment shall be made in the next regular paycheck and is subject to mandatory taxes and deductions.

The compensation rates will be reviewed every two (2) years to recalculate the average daily cost of a substitute for qualifying positions.

### **Reinstatement upon rehiring**

If an employee separates from employment with the District and is rehired by the District within six (6) months after the separation, the District must reinstate any paid leave that the employee had accrued but not used during the employee's previous employment if that accrued paid leave had not been paid out at the time of the separation.

### **Additional leave during a public health emergency**

In addition to the paid leave generally accrued, on the date a public health emergency is declared the district will supplement each employee's accrued paid leave as necessary to ensure that full-time employees who work 40 hours or more in a week may take at least 80 hours of paid leave and that employees who work fewer than 40 hours in a week may take at least the greater of the number of hours the employee is scheduled to work in a 14-day period or the average time the employee works in a 14-day period. The District may count an employee's unused accrued paid leave toward the supplemental paid sick leave.

An employee may use supplemental paid leave until 4 weeks after the official termination or suspension of the public health emergency. Leave under this provision may be taken for the following reasons:

1. Self-isolation or seeking medical care or treatment due to a diagnosis or symptoms of a communicable illness that is the cause of a public health emergency;
2. Caring for a family member who is self-isolating or seeking medical care after being diagnosed or is experiencing symptoms of a communicable illness that is the cause of a public health emergency;
3. A determination from a local, state, or federal public official or health authority that an employee or a member of the employee's family that the employee cares poses a risk to the health of others;
4. Caring for a family member when the individual's school or place of care has been physically closed due to a public health emergency; or
5. An employee's inability to work because of a health condition that may increase susceptibility to or risk of a communicable illness that is the cause of a public health emergency.

Documentation is not required to take paid leave during a public health emergency.

### **Nondiscrimination**

The Board, the superintendent, other administrators and district employees will not unlawfully discriminate, take adverse action, or retaliate against any employee who takes, attempts to take, or supports taking paid leave in accordance with this policy, files a complaint or informs any person about an alleged violation of the Healthy Families and Workplaces Act, or participates in an investigation, hearing, or proceeding related to such matter.

### **Notice**

To reduce unlawful discrimination and to ensure a healthy workplace environment, the administration is responsible for providing notice of this policy and the poster created by the Colorado Department of Labor and Employment to all district schools and departments. The policy must be referenced in employee handbooks and otherwise be made available to all staff through electronic or hard-copy distribution.

Adopted: July 13, 1999  
Re-Adopted: October 14, 2003  
Revised: February 9, 2010  
Revised: June 7, 2011  
Revised: August 14, 2012  
Revised: May 16, 2023  
Revised: February 20, 2024

LEGAL REFS.:       C.R.S. 2-4-401 (*definition of immediate family*)  
                      C.R.S. 8-13.3-401 *et seq. (Healthy Families and Workplaces Act)*

CROSS REFS.:       GBGF, Federally-Mandated Family and Medical Leave  
                      GBGH, Sick Leave Bank  
                      GBGL, Staff Victim Leave  
                      GBJ, Personnel Records and Files