

# KYRENE SCHOOL DISTRICT

## LEAVE OF ABSENCE

### Frequently Asked Questions

#### ***What is Leave?***

In general terms, when an employee is absent from work, it is referred to as an '**absence**' day.

An **absence request** is when an employee requests to use their earned time off for occasional absence days.

A **leave of absence** is a request for an extended period of time off for authorized reasons and must be set up by the employee through Talent Management with sufficient documentation.

#### ***When do I have to request a Leave of Absence?***

Please contact Talent Management, to inquire about a Leave of Absence under any of these conditions:

- 30 days advance notice and completion of forms when the leave is foreseeable or planned
- Your absence will be more than ten (10) consecutive workdays
- You have an insufficient number of accrued paid days to cover a consecutive absence period of four days or longer; you may need a formal leave of absence approval
- You are requesting leave under **FMLA** for any length of time

If you do not request a Leave of Absence under any of the above conditions, you are subject to being 'absent without leave' per district policy. When a Leave of Absence is approved, you obtain the authorization to be absent from work that is required.

#### ***Do I need prior approval for every absence from work?***

Employees are expected to follow District policy and procedures for reporting absences and obtaining necessary authorization to be away from work.

- If you accrue time off as defined above and you have a sufficient balance to use days without prior approval, the reasons must follow the rules in the Meet and Confer or Terms and Conditions of Employment guidelines. For example, employees may not use accrued time off for reasons that are restricted or on certain Blackout days throughout the school year.
- If you do not have sufficient accrued paid time to cover an absence period, or your reason for being absent does not conform to authorized usage, an unpaid absence from work must be approved in advance in order to comply with District policy.

#### ***What kinds of Leaves are available?***

You can find details about specific leaves in the *Meet and Confer* and *Terms and Conditions of Employment* documents. Leave of Absence may be requested for, but not limited to, the following:

#### **Family and Medical Leave Act (FMLA) – for eligible employees:**

**Basic Leave Entitlement:** FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or childbirth.
- To care for the employee's child after birth, or placement for adoption or foster care.

- To care for the employee's immediate family member, who has a serious health condition.
- For a serious health condition that makes the employee unable to perform the employee's job.

**Military Family Leave Entitlements:** Eligible employees whose spouse, son, daughter, or parent is on covered active duty or call to covered active-duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service-member during a single 12-month period.

**General Medical Leave:** Granted for the employee's **medically necessary** surgery, accident, major illness, or childbirth and recovery in cases where the employee is not eligible under FMLA.

**Annual Non-Compensable Leave:** Unpaid annual leave not to exceed one (1) year for approved requests received in Talent Management by February 15 of the year prior to the leave. See Meet and Confer/Terms and Conditions documents for eligibility criteria.

**Personal Leave:**

For **hardship situations** which do not align to other leave of absence types – typically approved for 2-4 weeks maximum, except for rare and unusual circumstances. This leave requires Principal/Supervisor approval in addition to district approval. School absences are charged to the school substitute budget when a substitute is needed. This leave may be approved or denied at the district's discretion.

**Military Leave:**

Granted in accordance with existing state and federal statutes.

**Sabbatical Leave:**

Granted by the Board contingent upon availability of District funds for certified or administrative employees with at least 7 years of employment.

**Victim Leave:**

Granted to an employee who is a victim of juvenile or adult crime and is exercising a right to be present at a proceeding as defined in Arizona Statute.

**Extenuating Circumstances Leave of Absence** – granted in very rare circumstances for those employees who are eligible under FMLA and as outlined in district policy, for no longer than 6 months which includes the FMLA period.

***Why do I need to complete a written Request for Leave?***

The **Request for Leave Packet** is designed to provide the District with the appropriate information necessary to determine eligibility for authorizing a Leave.

Under Federal law, it is the responsibility of the employer to designate leave as FMLA if it qualifies, and a request for such leave will not be denied by the District if the employee is entitled to leave under FMLA. All other leaves of absence, however, may be granted or denied by the District in its sole discretion, per district policy.

***How do I complete a Request for Leave Packet?***

1. Print and complete the online **Request for Leave Packet** at least thirty (30) days before the leave is to begin when the need for leave is foreseeable, and submit it to Talent Management.

2. When the leave is not foreseeable thirty (30) days in advance, the leave packet and supporting provider information (if applicable) must be submitted as soon as the need for leave is known, following FMLA guidelines for return of documentation.
3. You may submit your leave packet by District mail or by email attachment to [benefits@kyrene.org](mailto:benefits@kyrene.org), or you may drop it off in Talent Management at the District office.

### ***What else should I consider?***

- You may need additional documentation to complete the Request for Leave Packet, such as a **health care provider certification**. Review the packet thoroughly before you submit it. If you cannot obtain all the required documentation prior to your leave, be sure you communicate that upon submission of your paperwork.
- If your absence is due to a personal medical reason and you also have **Short Term Disability Insurance** or you are claiming a **Workers Compensation** injury, please indicate this on your Request for Leave so that you will be provided with the appropriate paperwork to submit your claim.
- In general, a leave packet will not be accepted after the employee has returned to work. Retroactive approval for leave of absence will only be granted in extraordinary circumstances.
- If your absence requires a **substitute**, you should enter your absence into your absence reporting system immediately to ensure a substitute is assigned to cover your classroom.

### ***Do I have to use my accrued time during my leave of absence?***

Yes. District policy states that all accrued ACA, vacation, PTO, sick and other paid leave shall be applied to the leave period, unless otherwise agreed to by the district or prohibited under FMLA. If an employee's accrued time is exhausted, the remaining portion of the leave period will be unpaid.

### ***What options for compensation are available if I don't have any accrued paid time?***

Under specified conditions, some options for paid leave may be available:

- **Certified and Administrative** employees may use up to 24 hours per contract year of **Deductible Absences** under the same provisions as authorized benefits for Sick Day or ACA usage. The rate of pay is a reduced portion of the employee's daily rate, as outlined in *Meet and Confer* and *Terms and Conditions of Employment*.
- **Employee Sick Leave Bank**. Employees who donated time to their respective bank, may request a gift of days for eligible reasons. Information pertaining to eligibility is found in the Certified and Support *Meet and Confer* documents and *Terms and Conditions* document.
- **District policy** which outlines Professional/Support Staff "Sick Leave Assistance" provides the Superintendent with the authorization to grant additional paid days to employees or their immediate family members with "seriously incapacitating and extended illness or injury." Requests are reviewed for employment length and other eligibility requirements. Requests may be made to [benefits@kyrene.org](mailto:benefits@kyrene.org). Supporting health provider documentation to substantiate the request may be required.

### ***Who can I contact for additional information about leaves of absence?***

- Deb Spurgin, Chief Benefits Officer  
(480) 541-1315  
[dspurgin@kyrene.org](mailto:dspurgin@kyrene.org)
- [benefits@kyrene.org](mailto:benefits@kyrene.org)