

PTA Proposal X10

Sick Leave Review

Presented by PTA on Wednesday, April 9, 2025

PTA proposes removing Article XXI Review of Sick Leave in its entirety.

~~ARTICLE XXI: REVIEW OF SICK LEAVE~~

~~1. PURPOSE:~~ ~~It is the purpose of these instructions to support employees who may require additional time away from work for their own or family members' illness and to ensure continuity of instruction/operations for teaching and learning.~~

~~2. APPLICABILITY:~~ ~~These procedures apply to all personnel covered by this agreement.~~

~~3. DEFINITIONS:~~

~~a. Indicators that an employee may require support:~~ ~~(1) Exhausting sick leave days on a monthly basis for a period of three or more consecutive months; (2) Two or more instances within a six (6) month period of using sick leave in conjunction with holidays or regularly scheduled days off; (3) Some other pattern of absences which gives rise to reasonable concern; (4) More than five occurrences of sick leave use in a fiscal year. Any use of sick leave substantiated by a note from a licensed physician who examined and/or treated the employee during the period of absence shall not be counted as an instance as defined above provided that said certification is received by the Superintendent or his/her designee in a timely manner.~~

~~b. Excessive absenteeism:~~ ~~A pattern of absenteeism determined by the intervention meeting specified by Level One of the Program defined by Section 4a of this article.~~

~~c. Sick Leave—~~~~As defined in Article XI of this Agreement.~~

~~d. Occurrence—~~~~An occurrence is defined as any absence using one or more consecutive day(s) of sick leave regardless of duration or one or more non-consecutive day(s) of related absences.~~

~~4. GENERAL:~~ ~~The intent of this Article is to support employees whose excessive absenteeism prevents continuity of instruction or operations.~~

~~5. PROGRAM:~~ ~~When a supervisor and/or other administrators suspects that an employee requires support and to ensure continuity of instruction and operations, they will adhere to the following steps:~~

~~a. Level One:~~

~~The supervisor and/or their designee will obtain a report of the employee's sick leave use for the past twelve (12) months. The supervisor and/or other administrator will review the employee's use of sick leave and determine if any of the indicators identified in Definitions (a) above apply. The employee's attendance discipline record, if any, will be reviewed. The supervisor or other administrator may will meet with the employee to discuss the basis for the concern. The employee will be given the opportunity to explain the nature of sick leave usage and address any concerns raised by the supervisor and/or other administrator. This meeting will not be disciplinary in nature. During this meeting, the employee will be provided with Employee Assistance resources and a conversation may be scheduled with the Human Resources Manager at the employee's discretion to identify additional strategies for improved attendance. The employee may be accompanied by a union representative to this meeting. Within 24 hours of the conclusion of this meeting, the employee will be notified whether or not the employer has determined excessive absenteeism has occurred. In the event the employer does determine excessive absenteeism has occurred, the employee~~

will be informed in writing of the next steps in the progressive sick leave review program.

b. Level two:

If it is determined that excessive absenteeism has occurred based on the level one intervention meeting, and the same indicators continue, the employee will be provided with Employee Assistance resources and a conversation will be scheduled with the Human Resources Manager to identify additional strategies for improved attendance. The employee may be accompanied by a union representative to this meeting. The employee will also be issued a written warning notifying them that excessive absenteeism is suspected if the employee has not received a written warning in the past 24 months. This written warning will be removed from the employee file should no other indicators arise within a 24-month period. The employee will be informed in writing of the next steps in the progressive sick leave review program at the conclusion of the level two meeting. Once the employee has been notified, the supervisor and/or other administrator will personally review the employee's sick leave usage every month for a period of 24 months.

c. Level three:

In the event an employee's absence continues to indicate concerns around continuity of instruction/operations, additional disciplinary action may be taken and the employee may be required to produce medical documentation for every future use of sick leave for a period of 12 months. When medical documentation is required it should contain a date and a clear indication that a person is or has been under the care of a healthcare provider.

d. Level four:

In the event that following level three above, the employee's absence continues to indicate concerns around continuity of instruction/operations, the employee will be subject to further disciplinary action up to and including dismissal.

Employees suffering from a serious medical condition as defined by the Family and Medical Leave Act (FMLA) will be exempted from discipline under this article as if they were protected under FMLA. Procedures and forms established by the Department of Labor will be used to determine the existence and duration of a serious health condition. Should a conflict arise between the language of this contract and state or federal law, the applicable laws will prevail.