

**Buffalo Lake-Hector-Stewart School Policy #411**  
**Non Certified Hourly Staff**

**I. Purpose**

The purpose of this policy is to outline the benefits available to non certified staff.

**II. Basic Work Week.**

The days and hours per day (and length of the work year) for staff shall be set annually by the Superintendent of Schools and approved by the School Board. Individual schedules shall be set by immediate supervisors and approved by the principals. When conditions warrant, the Superintendent has the authority to alter these schedules as needed. (e.g., The assignment of duty evenings for school activities and whenever the buildings or portions of the buildings have been rented. The Superintendent also has the authority to reduce hours or change schedules when, in the opinion of the Superintendent, conditions warrant such actions.)

Lunch breaks. All employees except for food service personnel and administrative assistants, shall be provided an unpaid duty free lunch period of at least thirty (30) minutes. Employees working at least three (3) but less than seven (7.5) hours per day shall receive one (1) 15 minute paid break during the day worked. Educational support professionals working seven (7.5) hours or more per day shall receive two (2) 15 minute paid breaks during the day worked.

Food service employees shall be provided with a paid twenty (20) minute duty-free lunch period if the employee's work period includes the regular lunch period and the employee works a period of two and one half (2.5) hours or more.

Administrative assistants shall be provided a paid thirty (30) minute lunch period.

**III. Jury Duty/Military Service.**

A staff member who is selected for jury duty or is called to military duty shall be granted the day or days necessary as stipulated, to discharge this responsibility without any salary deduction or loss of basic leave allowance to a limit of 15 days for military duty. The compensation received for jury duty service shall be remitted to the School District. Mileage can be retained by the employee.

**IV. Sick Leave**

*THE FOLLOWING PARAGRAPHS MAY BE AMENDED PENDING AT SUCH TIME OF APPROVAL OF A NEW TEACHERS' MASTER AGREEMENT.*

Sick leave is granted to employees working 30 hours or more per week at the rate of nine (9) days per year (accrues per month) based on their normal or usual workday, cumulative to 90 days per employee. Sick leave shall be prorated at a daily rate in accordance with each individual's contracted yearly, monthly or hourly salary. Sick leave does not accrue for days not worked.

Employee Leave Requests must be submitted via the district time management system and approved by administration for each absence.

Medical Certificate. The School District may require an employee to furnish a medical certificate if absent for more than three (3) days, from a qualified physician as evidence of illness and/or disability pursuant to this section, indicating such absence was due to illness and/or disability, in order to qualify for sick leave pay. However, the final determination as to the eligibility of an employee for sick leave is reserved to the School District. In the event that a medical certificate will be required, the employee will be so advised.

#### **V. Donation of Sick Leave**

An employee may donate up to 2 days (days are based on the employee's regular hours) of their accumulated regular sick leave per year to another employee that has a serious or terminal illness. Said employee is not limited to how many other employees he/she may donate to. However, any employee receiving donated sick leave time shall be limited to 20 days maximum per year not to extend for more than 2 years. This request for donations must first come from the ill employee.

#### **VI. Serious Illness in the Immediate Family**

Leave will be allowed to auxiliary staff employees in cases of a serious illness to a member of the employee's immediate family. Immediate family is defined as spouse, parents, siblings, children, grandparents and grandchildren and those of the spouse. These days shall be deducted from the employee's accumulated sick leave. If sick leave runs out or is not available, the day(s) will be unpaid leave. The specific amount of leave for this purpose shall be granted as determined by administration.

#### **VII. Bereavement Leave**

Up to five (5) days shall be allowed for a death in the employee's immediate family. These days shall be deducted from the employee's accumulated sick leave. Immediate family is defined as spouse, parents, siblings, children, grandparents and grandchildren and those of the spouse. Additional days may be granted at the discretion of the Superintendent, depending upon the circumstances relating to said death and shall also be deducted from the staff employee's accumulated sick leave. One day shall be granted for each incident for the death of a non immediate family member or that of a friend. These days shall be deducted from the employee's accumulated sick leave.

#### **VIII. ESST (Earned Sick and Safe Time) Leave. \*\*\*Added per State of MN 1/1/2024 All**

(a) An employee accrues a minimum of one hour of earned sick and safe time for every 30 hours worked up to a maximum of 48 hours of earned sick and safe time in a year. Employees may not accrue more than 48 hours of earned sick and safe time in a year unless the employer agrees to a higher amount.

(b)(1) Except as provided in clause (2), employers must permit an employee to carry over accrued but unused sick and safe time into the following year. The total amount of accrued but

unused earned sick and safe time for an employee must not exceed 80 hours at any time, unless an employer agrees to a higher amount.

Earned Sick and Safe Time can be used for: (Refer to Statute 181.9446)

- 1) Employee's mental or physical illness, treatment or preventative care; 2) The mental or physical illness, treatment or preventative care of an employee's family member;
- 3) Absence due to domestic abuse, sexual assault or stalking of an employee or their family member;
- 4) Closure of an employee's workplace due to weather or public emergency or closure of their family member's school or care facility due to weather or public emergency; and 5) When determined by a health authority or health care professional that an employee or their family member is at risk of infecting others with a communicable disease.

Employees may use Earned Sick and Safe Time for the following family members:

- the employee's mental or physical illness, treatment or preventive care;
- a family member's mental or physical illness, treatment or preventive care;
- their child, including foster child, adult child, legal ward, child for whom the employee is legal guardian or child to whom the employee stands or stood in loco parentis (in place of a parent);
- their spouse or registered domestic partner;
- their sibling, stepsibling or foster sibling;
- their biological, adoptive or foster parent, stepparent or a person who stood in loco parentis (in place of a parent) when the employee was a minor child;
- their grandchild, foster grandchild or step-grandchild;
- their grandparent or step-grandparent
- a child of a sibling of the employee;
- a sibling of the parents of the employee;
- a child-in-law or sibling-in-law;
- any other individual related by blood or whose close association with the employee is the equivalent of a family relationship; and
- up to one individual annually designated by the employee (email or in writing)
- **Pets/animals do not apply**

#### **IX. Personal Leave.**

One (1) day of personal leave shall be provided each year to be used for an employee's personal business. Employees with fifteen (15) years of service or more shall be granted two (2) personal leave days per year. The MARSS Coordinator will receive two (2) days of personal leave per year due to job requirements. The number of hours for each personal day shall be based on the number of hours the employee is normally assigned during the day. Such leave

shall be granted under the following guidelines:

1. An Employee Leave Request must be submitted via the district's time management system to their supervisor at least three (3) working days in advance of the requested leave. (This item may be waived in emergency situations with approval of the supervisor.)

2. No more than one (1) absence per department in each building may be gone on the same day. Administration has the authority to allow more than one(1) absence according to the needs of the District.

3. Personal leave will not be granted for the day before or after holidays and vacations, on the first or last days of the student school year, and during the last ten (10) days of the school year or summer work schedule unless the reason is put in writing and approved by administration. Administration has the authority to approve or alter personal days according to the needs of the District.

#### **X. Workers' Compensation.**

Pursuant to M.S. Chapter 176, an employee injured on the job in the service of the School District and collecting workers' compensation insurance may draw sick leave and receive full salary from the School District, the salary to be reduced by an amount equal to the insurance payments, and only that fraction of the days not covered by insurance will be deducted from the accrued sick leave. Work related injuries need to be reported to a supervisor within 48 hours.

#### **XI. Family/Child Care Leave.**

The Family and Medical Leave Act (FMLA) provides employees with the right to take up to 12 weeks of unpaid leave in connection with the birth or adoption of a child, the employee's own serious illness, or the illness of the employee's spouse or minor child.

The leave is available to those employed for 12 months and who have worked at least 1,250 hours during the 12-month period immediately preceding the leave. Employees may be required to provide medical evidence of the need for the leave and Little Stangs Learning Center may request an employee to be examined by a health care provider selected by Little Stangs Learning Center to confirm the need for the leave.

The employee must be returned to the former or a comparable position at the end of the leave, except where they have otherwise been laid off during the leave. If the leave is longer than one month, a notice of at least two weeks must be given prior to returning to work.

#### **Minnesota Birth or Adoption Leave**

Some employees may not meet the 1,250-hour requirement under the FMLA policy. However, if you have been working for Little Stangs Learning Center for at least 12 consecutive months and you have worked an average of one-half of the weekly hours required for full-time employees during those 12 months, you may be eligible for up to six weeks, or a timeframe as may be required by state law, of unpaid leave for the birth or adoption of a child.

The start of the leave is up to an employee, but cannot be more than six weeks after the birth or

adoption in question. If a newborn must remain in the hospital longer than the mother, leave may not start more than six weeks after the newborn leaves the hospital.

Eligible employees should request leave as far in advance as possible.

If you are also eligible for leave under the FMLA, these two leaves will run concurrently and your insurance coverage will continue on the same basis as if you were not absent.

## **XII. Vacation.**

Staff employed on a 12-month basis shall be granted vacation at a prorated amount in accordance with each individual's normal work schedule. All other employees will not receive a paid vacation. Vacation days shall be granted as follows:

1. 0 – 90 days (probationary period) of employment – 0 days;
2. 90 days - 1 year of employment – 5 days;
3. 2 - 9 years of employment – 10 days

All requests for vacation days must be submitted via the district time management system to administration at least five (5) working days prior to the request for vacation leave.

Administration has the authority to approve or alter vacation schedules according to the needs of the District. Vacation days can be used only after accrued. Employees need to use their vacation days from the preceding year by December 31st or the days will be lost.

## **XIII. Holidays.**

Nine (9) month employees (paraprofessionals and food service employees) shall be granted the following paid holidays: Thanksgiving Day, Christmas Day and New Year's Day.

Ten (10) month employees (215 days but less than 260) Administrative Assistants shall be granted the following seven (7) paid holidays: Juneteenth, Labor Day, Thanksgiving Day, Christmas Eve Day, Christmas Day, New Year's Day, and Memorial Day.

Twelve (12) month employees shall be granted the following nine (9) holidays off with pay: Labor Day, Thanksgiving Day, Christmas Eve Day, Christmas Day, New Year's Day, Good Friday, Juneteenth, Independence Day, and Memorial Day.

In the event that the holiday falls on a Sunday, the following Monday shall be observed for that holiday or if any of the above holidays fall on a Saturday, the preceding Friday. School closing due to emergency conditions will be regarded as regular work days for 12-month employees.

Upon termination of employment or resignation, sick leave, ESST time, and personal time will not be paid out.

## **XIV. Group Health Insurance.**

Group health insurance is available to all non-certified staff personnel who work 30 or more hours per week and who qualify for such coverage according to the provisions of the policy as

written between the School District and insurance carrier and who are enrolled in the School District plan subject to the following provisions:

1. Non-certified staff employed on a full-time 12-month contract shall receive the same health insurance coverage as the teaching staff receives. Full time is determined to mean a regular schedule of 40 hours per week and shall be referred to as one (1) FTE

2. Non-certified staff employed on a full time 9-month contract shall be determined to mean three-quarter (3/4) or .75 FTE or 30 hours.

\*The maximum cost of the minimum value health insurance plan to 9-month contract auxiliary staff will be calculated on an annual basis to be in compliance with Affordable Care Act requirements. This amount will be approved by the School Board annually.

#### **XV. Group Life Insurance.**

All non-certified staff employees who work 30 hours or more per week will be provided with a \$10,000.00 term life insurance policy paid by the District.

#### **XVI. Personnel Retirement.**

All non-certified personnel will be retired according to state statutes governing such matters.

#### **XVII. Job Description.**

All non-certified staff personnel will be provided with a job description for their assigned areas of duty.

#### **XVIII. Personnel Evaluation.**

No later than the May meeting of the School Board, the Superintendent of Schools shall present to the Board, an evaluation of each employee not being recommended for retention unless circumstances dictate a different time frame for such a recommendation.

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