

Great Falls School District

PERSONNEL

5321R

Conditions for Use of Sick Leave

“Immediate family” is defined as an employee’s father, mother, sister, brother, spouse, son, daughter, step-son, step-daughter, spouse’s father, spouse’s mother, grandchildren, grandparents, brother’s spouse, sister’s spouse, spouse’s sister, spouse’s brother, child’s spouse, step-child’s spouse.

Sick Leave Requests

Employee requests to utilize accrued sick leave must be submitted in writing, or electronically, to the employee’s immediate supervisor.

An employee’s immediate supervisor may deny an employee’s sick leave request if justified by the circumstances. Denial of sick leave should not result in requiring an employee to work when the employee is unable to perform job duties because of physical or mental illness, injury, or disability.

Sick leave is paid at the employee’s regular rate of pay at the time leave is taken and must be used in quarter-hour increments.

Medical Certification

The District requires medical certification, after three (3) consecutive days, to confirm the appropriate use of sick leave, including the need to care for an ill or injured immediate family member. A licensed physician or another licensed health care provider competent to treat and diagnose the particular illness or condition, must provide medical certification.

Medical certification should include information regarding need for the leave, length of the leave, and the timing of the leave.

All medical information obtained through certification or medical examinations must be maintained as confidential in secured, separate files from the usual personnel files.

Accrual and Use of Sick Leave Credits

Staff covered by a collective bargaining agreement or handbook shall accrue and may use their sick leave credits according to the current collective bargaining agreement or handbook.

Employees not covered by collective bargaining agreement or handbook and serving in positions that are permanent, seasonal, or temporary are eligible to earn sick leave credits. Sick leave credits accrue from the first day of employment at a rate that is in accordance with §2-18-618, MCA. Staff must be continuously employed for the qualifying period of ninety (90) calendar

1 days in order to use sick leave. Sick leave may not be advanced or be taken retroactively. Unless
 2 there is a break in service, an employee only serves the qualifying period once. After a break in
 3 service, an employee must again complete the qualifying period to use sick leave. A seasonal
 4 employee's accrued sick leave credits may be carried over to the next season if management has
 5 a continuing need for the employee or, alternatively, may be paid ~~out~~ as a lump sum for accrued
 6 sick leave credits when the season ends.

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 8 Employees, whether classified or certified, simultaneously employed in two (2) or more
 9 positions, will accrue sick leave credits in each position according to the number of hours or the
 10 proration of the contract (in the case of certified) worked. Leave credits will be used only from
 11 the position in which the credits are earned and with the approval of the supervisor or appropriate
 12 authority for that position. Hours in a pay status paid at the regular rate will be used to calculate
 13 leave accrual. Sick leave credits will not accrue for those hours exceeding forty (40) hours in a
 14 workweek that are paid as overtime hours or are recorded as compensatory time hours.

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 16 When an employee who has not worked the qualifying period for use of sick leave takes an
 17 approved continuous leave of absence without pay exceeding fifteen (15) working days, the
 18 amount of time on leave of absence will not count toward completion of the qualifying period.
 19 The approved leave of absence exceeding fifteen (15) working days is not a break in service, and
 20 the employee will not lose any accrued sick leave credits or lose credit for time earned toward
 21 the qualifying period. An approved continuous leave of absence without pay of fifteen (15)
 22 working days or less will be counted as time earned toward the ninety-(90)-day qualifying
 23 period.

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 25 No limit exists for sick leave accrual.

26 27 Sick Leave Lump Sum Payment Upon Termination for Classified Employees

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 29 When a classified or certified employee not covered by a collective bargaining agreement or
 30 handbook terminates from the District, the employee is entitled to cash compensation for unused
 31 sick leave credit equal to one-fourth (1/4) of the compensation the employee would have
 32 received if the employee had used the credits, provided the employee has worked the qualifying
 33 period. The value of unused sick leave is computed based on the employee's salary rate at the
 34 time of termination. An employee may voluntarily donate all or a portion of their unused sick
 35 leave to another employee in their group according to the salary schedule. Employees receiving
 36 donated sick leave must be in need of sick leave hours.

37 38 Industrial Accident

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 40 An employee who is injured in an industrial accident may be eligible for Workers'
 41 Compensation benefits. Use of sick leave must be coordinated with receipt of Worker's
 42 Compensation benefits on a case-by-case basis by contacting the Montana Schools Group
 43 Workers' Compensation Risk Retention Program (WCRRP).

44 45 Sick Leave Substituted for Vacation Leave

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An employee, who qualifies for use of sick leave while taking approved annual vacation leave, or personal leave may be allowed to substitute accrued sick leave credits for annual leave credits. Medical certification of the illness or disability may be required.

Cross Reference:

Policy 5321	Leaves of Absence
Policy 5328	Family Medical Leave
Policy 5329	Long Term Illness/Temporary Disability Leave
Policy 5329P	Long Term Illness/Temporary Disability Leave
Policy 5330	Maternity and Paternity Leave

Legal References:

§ 2-18-601(15), MCA	Definitions
§ 2-18-618, MCA	Sick Leave
§ 49-2-311, MCA	Reinstatement to Job Following Pregnancy
Title 39, Chapter 31	Collective Bargaining for Public Employees
42 U.S.C. 2000e	Equal Employment Opportunities

Policy History:

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