Updated Policy GCBDA: Professional Staff Short-Term Leaves

Consistent contact with students and staff is important to the learning environment and district operation and, therefore, is an essential duty of a professional staff member's position. However, the board recognizes that there are circumstances that require an employee to miss work, and the purpose of this policy is to identify situations where paid and unpaid leave from work are appropriate.

To the extent permitted by law, the district may require an employee to provide the district verification of illness from a healthcare provider or supply other documentation verifying the absence before the district applies sick leave or other applicable paid leave to the absence. In accordance with law, the district may require an employee to present a certification of fitness to return to work whenever the employee is absent from work due to the employee's health.

The following leaves with pay will be provided to full-time professional employees. Regular part-time professional employees will receive these leaves in proportion to the full-time equivalent (FTE) they are scheduled to work. This policy does not apply to temporary or substitute employees unless otherwise noted.

1. **Paid Time off (PTO)** - Professional staff employees will earn PTO (Paid Time Off) according to the following schedule:

Position	Days Per Year
9 - month	13
10 - month	14
11 - month	15
12 - month	16

Absences may be charged against PTO for the following reasons:

a. Illness, injury, or incapacity of the employee. The board reserves the right to require a healthcare provider's certification attesting to the illness or incapacity of the claimant and/or inclusive dates of the employee's incapacitation. The Family and Medical Leave Act (FMLA) health certification procedures apply to FMLA-qualifying absences, even if such absences are paid PTO.
b. Illness, injury, or incapacity of a member of the immediate family. The board defines "immediate family" to include:
    - The employee's spouse.

- The following relatives of the employee or the employee's spouse: parents, children, children's spouses, grandparents, grandchildren, siblings, and any other family member residing with the employee.
- Any other person over whom the employee has legal guardianship or for whom the employee has power of attorney and is the primary caregiver.

(Note: "Family" for FMLA purposes is more limited.)

c. Illness, injury, or incapacity of other relatives, with permission granted by the superintendent.
d. Pregnancy, childbirth, and adoption leave in accordance with this policy and this policy.
e. Court appearances, unless law or policy provides paid leave.
f. Wedding, graduation, or funeral.
g. Observation of a religious holiday.
h. Conducting personal business of such a nature that it cannot be performed on a Saturday, Sunday, or before or after school hours.
i. Absences under leave authorized by law, policy, or the board but would otherwise be unpaid including, but not limited to, leave under the FMLA.
j. Leave for other purposes as approved by the building principal.

Employees who are ill may be required to stay home to promote healing and reduce the risk of infecting others, especially during a pandemic or other significant health event. In the event of a pandemic or other significant health event, schools may be closed to all staff and students or just students. If schools are closed only to students, staff members are expected to work regular schedules or use appropriate leave.

To the extent permitted by law, the district may require an employee to provide the district verification of illness from a healthcare provider or supply other documentation verifying the absences before the district applies PTO leave or other applicable paid leave to the absence. In accordance with law, the district may require an employee to present a certification of fitness to return to work whenever the employee is absent from work due to the employee's health.

The administration reserves the right to deny an employee's request of PTO usage if said usage will adversely affect the districts or its students, where allowed by law. Inability to obtain a substitute for the PTO day requested may result in a denial of the employee's request for PTO. With the exception of PTO categories "a", "b", and "c" above, it is expected that applications for leave will be made electronically or in writing to the designated administrator at least 5 days in advance of the date for which leave is requested, whenever possible. However, 30 days' notice is required by law if the leave qualifies as FMLA leave and such notice is practical. The administrator will respond promptly to the employee's written or electronic request.

A maximum of 5 consecutive PTO days may be taken with supervisor approval. PTO beyond 5 consecutive days must have the approval from the supervisor and the Director of Human Resources.

District employees may not use PTO during the period they receive workers' compensation for time lost to work-related incidents.

Certificated employees who are members of a retirement system shall remain members during any period of leave under PTO provisions of the district or under workers' compensation. Employees shall also receive creditable service credit for such leave time if they make contributions to the system equal to the amount of contributions that they would have made had they been on active service status.

Any unused PTO accumulated in excess of 100 days will be reimbursed to the professional employee at the rate of $70.00 per day at the end of each school year, subject to all applicable taxes and other required deductions.

Professional staff upon leaving will be paid according to the following schedule for unused PTO accumulated while in the Mexico School District. This will not apply to professional staff who are terminated for cause. You must also work for the district for a minimum of 1 year to qualify.

Years of Service	Payment
1 - 5	$25.00
6 - 15	$40.00
16+	$60.00

Professional staff who retire from Mexico School District will be paid $70.00 per day for unused PTO.

2. **Vacation** - All professional staff employed on a 12-month basis will receive 20 days of vacation annually. Days are credited at the beginning of each fiscal year after 1 year of employment.

   Those employed at the administration level will earn 20 days of vacation annually.

   Employees must submit a request for vacation to their supervisor and receive authorization before taking vacation days. If the absence may disrupt district

operations, the supervisor has the discretion to deny a request for vacation or to limit the time of year employees may take vacation.

District employees may not use vacation days during the period they receive workers' compensation for time lost to work-related incidents.

Yearly earned vacation may be used during a period of 17 months, commencing July 1 of the contract year and extending through December 31 of the following calendar year.

Professional staff leaving the district will receive payment of a maximum of 20 days of unused vacation.

3. **Bereavement Leave -** When a death occurs in an employee's immediate family, as defined in the PTO section #1.b. above, the employee may take up to five days off with pay to attend the funeral or make funeral arrangements. After the exhaustion of the five days of bereavement leave, employees may use PTO.

Unless otherwise provided, the following leaves will be provided to full-time and part-time professional employees.

1. **Holidays** – Labor Day, Thanksgiving, Day after Thanksgiving, Christmas Eve, Christmas, New Year's Day, Martin Luther King's Birthday, President's Day, Good Friday, Memorial Day, Juneteenth, Fourth of July, or other days granted by the superintendent. Holidays may be modified or eliminated as needed when the academic calendar is changed due to inclement weather or for other reasons. Holidays may change from year to year.

2. **Professional Leave** – Employees may be granted professional leave to attend classes or conferences, meet with mentors, or participate in other approved professional growth activities. Professional leave is not considered personal leave and must be approved by the superintendent or designee and arranged well in advance.

3. **Military Leave** – The board shall grant military leave as required by law. Members of the National Guard or any reserve component of the U.S. Armed Forces who are engaged in the performance of duty or training will be entitled to a leave of absence of 120 hours in any federal fiscal year (October 1 – September 30) without impairment of efficiency rating or loss of time, pay, regular leave, or any other rights or benefits.

Employees shall provide the district an official order verifying that they are required to report to duty.

4. **Election Leave** – Employees who are appointed as election judges pursuant to state law may be absent on any election day for the period of time required by the election authority. Employees must notify the district at least seven days prior to any election in which they will serve as an election judge. Employees will not be terminated, disciplined, threatened, or otherwise subjected to adverse action based on their service as an election judge.

5. **Leave to Vote** – Employees who do not have three successive hours free from work while the polls are open will be granted a leave period of up to three hours to permit the employees three successive hours while the polls are open for the purpose of voting. Requests for such leave must be made prior to election day, and the employee's supervisors will designate when during the workday the leave should be taken. Any employee who properly requests leave to vote and uses the leave for that purpose will not be subject to discipline, termination, or loss of wages or salary.

6. **Jury Duty Leave** – Employees will be paid the amount of regular pay for time spent responding to a summons for jury duty, time spent participating in the jury selection process, or time spent actually serving on a jury. Employees will not be terminated, disciplined, threatened, or otherwise subjected to adverse action because of their receipt of or response to a jury summons. Proof of service must be provided following any jury duty leave.

7. **Leave for Court Subpoena** – Employees who receive a subpoena directly related to their work duties will be released for court appearance without loss of leave. Other court appearances will be deducted from PTO.

8. **Firefighter Leave** – Employees will be allowed to use PTO, vacation, and/or unpaid leave for any time taken to respond to an emergency in the course of performing duties as a volunteer firefighter. For the purposes of this section, "volunteer firefighter" includes members of Missouri Disaster Medical Assistance Team,-1 Missouri Task Force One, Urban Search and Rescue Team, or those activated by the Federal Emergency Management Agency (FEMA) in times of national disaster. Employees covered under this section shall not be terminated from employment for joining a

volunteer fire department or for being absent from or late to work in order to respond to an emergency. Employees shall make every reasonable effort to notify the principal or supervisor if the employee may be absent from or late to work under this section. Employees are required to provide their supervisors with a written statement from the supervisor or acting supervisor of the volunteer fire department stating that the employee responded to an emergency along with the time and date of the emergency.

9. **Crime Victim Leave** – Employees who are crime victims, who witness a crime, or have an immediate family member who is a crime victim will not be required to use vacation or PTO in order to honor a subpoena to testify in a criminal proceeding, attend a criminal proceeding, or participate in the preparation of the criminal proceeding.

10. **Civil Air Patrol Leave** – Employees who are members of Civil Air Patrol and have qualified for a Civil Air Patrol emergency service specialty or are certified to fly counternarcotics missions shall be granted unpaid leave to perform Civil Air Patrol emergency service duty or counternarcotics missions without loss of time, regular leave, or any other rights or benefits in accordance with law. The leave is limited to 15 working days in any calendar year but is unlimited when responding to a state- or nationally declared emergency in Missouri. The district may request that employees be exempted from responding to a specific mission.

11. **Coast Guard Auxiliary Leave** – Employees who are members of the United States Coast Guard Auxiliary will be granted an unpaid leave of absence for periods during which they are engaged in the performance of United States Coast Guard or United States Coast Guard Auxiliary duties, including travel related to such duties, when authorized by the director of auxiliary or other appropriate United States Coast Guard Authority. Such leaves of absence will be given without loss of time, regular leave or any other rights or benefits to which such employees would otherwise be entitled. The leave is limited to 15 working days in any calendar year but is unlimited when responding to a state- or nationally declared emergency in Missouri or upon any navigable waterway within or adjacent to the state of Missouri. The district may request that employees be exempted from responding to a specific mission.

12. **Victims' Economic Safety and Security Act (VESSA) Leave** – Employees may take unpaid leave in accordance with law for absences related to domestic or sexual violence where an employee, an employee's family member, or a person residing in the

employee's household has been the victim of domestic or sexual violence. Leave may be taken intermittently or on a reduced work schedule. Two workweeks of unpaid leave will be available in a 12-month period, except that employees of districts with fewer than 50 employees but at least 20 employees will be limited to one workweek of unpaid leave. Employees may use accumulated paid leave or compensatory time concurrently with unpaid VESSA leave. VESSA leave does not create a right for employees to take unpaid leave that exceeds the amount of unpaid leave time under FMLA. Employees are required to give 48 hours' notice of the need for leave unless such notice is not practicable. The district may require certification of the need for leave, which may include documentation from an entity aiding the victim, a police or court record, or other corroborating evidence. Information provided by the employee in conjunction with the use of this leave will be confidential in accordance with law.

Pregnancy, Childbirth, and Adoption Leave

Employees eligible for FMLA leave for the birth, first-year care, adoption, or foster care of a child will have such leave applied in accordance with the FMLA. The district will apply to such absences any applicable paid leave the employee has accrued. Employees whose FMLA leave exceeds their applicable accrued paid leave may use unpaid leave for the remainder of the FMLA absence as allowed by law.

Employees who are ineligible for FMLA leave may take up to 6 weeks of unpaid leave for the birth, first-year care, adoption, or foster care of a child. The district will apply to such absences any applicable paid leave the employee has accrued. Employees who have not accrued a sufficient amount of paid leave will be provided unpaid leave.

Employees who need additional leave or other accommodations for a limitation related to pregnancy, childbirth, or related medical conditions should communicate their need for accommodation to any person who supervises, manages, or directs any of their work, and the district will afford accommodations as required by law. Additional unpaid leave may be an accommodation under the Pregnant Workers' Fairness Act (PWFA) in some circumstances, but the district will not require employees to accept leave as an accommodation without engaging in an interactive process to determine appropriate accommodations.