

Barbour County Policy 6300

PERSONAL LEAVE AND OTHER ABSENCES POLICY

1.0 Purpose

- 1.1 The Barbour County Board of Education shall abide by regulations and laws regarding personal leave (sick leave) of employees established by the West Virginia State Legislature. The Board believes Personal Leave (sick leave) is an extremely important and valuable benefit that is to be used solely for the reasons and intentions as set forth in this policy.
- 1.2 Personal Leave (sick leave) should never be used indiscriminately as if it were a day of vacation. Any fraudulent request for, use of, or documentation of Personal Leave (sick leave) shall be grounds for dismissal of the employee(s).

2.0 Responsibility

- 2.1 It shall be the responsibility of the Superintendent and the administrative staff to enforce this policy.
- 2.2 Within the framework of applicable state statutes, utilization of personal leave shall be accomplished in accordance with good ethical practices with the **primary** consideration being the ultimate effect upon the instructional program.
- 2.3 At the beginning of the employment term, each full-time employee of the Barbour County Board of Education shall be entitled annually to one and one-half days personal leave (sick leave) for each employment month in the employee's employment term.
- 2.4 Unused leave shall be cumulative and shall be transferable within the State.
- 2.5 A change in job assignment during the school year shall in no way affect the employee's right or benefits.
- 2.6 Personal leave will be granted to full-time employees for personal illness, personal injury due to an accident, or life threatening illness of employee's spouse, parent(s), or children.
- 2.7 Illness or accident shall be defined as a personal condition that would render an employee physically or mentally unable to discharge his or her duties in normal capacity.

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- 2.8 It shall further apply in case an employee is suffering from a communicable disease, which would be readily contracted by pupils or other personnel with whom he or she would come in contact.
- 2.9 All personnel are required to report their absence(s) per the procedures adopted for this purpose. When a physician's statement is required, the medical statement shall include a reason/diagnosis, and dates specified for absence from and return to work. Barbour County Schools retains the right to request a second medical opinion at Board of Education expense on any absence using medical paid or unpaid leave.
- 2.10 At the discretion of their immediate supervisor, administrator, or building administrator, personnel shall be required to report their absence directly to their immediate supervisor, administrator, building administrator or their designee prior to the start of work on the day of absence.

AUTHORITY: Board of Education Minutes

LEGAL REFERENCE: School Laws of West Virginia: 18A-4-I0, 21-5D-4
House Bill 1477

ADOPTED: 03/14/73

REVISED: 06/29/15; 07/22/08; 01/16/96; 03/21/95; 09/04/90; 07/02/90; 09/19/89; 08/04/87;
09/16/86; 1984; 1983; 09/18/79; 04/20/76; 12/02/75

Barbour County Schools' Administrative Guidelines for

PERSONAL LEAVE AND OTHER ABSENCES

1.0 Absence for being ill (Sick Leave)

- 1.1 Any portion of an absence, which is five (5) or more consecutive days in length and charged to Personal Leave (sick leave), shall require written certification from a licensed physician, which specifies the date seen by the physician and the inclusive dates of care for the illness or injury.
- 1.2 Consecutive days shall refer to regularly scheduled work days.
- 1.3 The Employee shall present the signed physician's statement to his/her immediate supervisor upon returning to work. In extenuating circumstances, as determined by the superintendent, the employee shall be required to present the signed physician's statement prior to returning to work.
- 1.4 The immediate supervisor will promptly forward the physician's statement to the finance/payroll office where it will be required to support claims for Personal Leave (sick leave) pay.
- 1.5 The physician's statements shall be filed in the business office.
- 1.6 Upon review by an employee's immediate supervisor or at the request of the superintendent, verification for reason of absence maybe required for the tenth (10th) day and all subsequent days charged to personal leave (sick leave) within that school year. (July 1 through June 30.)
- 1.7 An employee who has exhausted all of his/her accrued personal leave (sick leave), personal use leaves (no cause days), and vacation (within the school year from July 1 through June 30) may request in writing a one day excused absence, without pay, from his/her immediate supervisor or may apply in writing for medical leave (see policy Unpaid Leave of Absences). The reason for absence must be verified with a specific reason/diagnosis and time frame for treatment, and sent directly to the Superintendent of Schools for approval. The Board of Education reserves the right to get a second medical opinion at Board of Education expense on a doc absence when warranted.
- 1.8 Any unexcused absence or fraudulent use of an excused absence without pay, may lead to disciplinary action.
- 1.9 The employee's supervisor and/or Board have the right to require verification of reason(s) for any and all absence(s) regardless of the duration of the absence(s).

- 1.10 Failure on the part of an employee to comply with this policy shall be considered sufficient cause for voiding the claim of the Employee for Personal Leave (sick leave) payment; the employee may be subject to suspension.

2.0 Absence for Personal Use Leave (No Cause Days)

- 2.1 Employees who are eligible for personal leave benefits are authorized four (4) days of Personal Use Leave without regard to the cause for the absence. Such days will be subtracted from the personal leave allocation.
- 2.2 An employee may roll over unused Personal Use Leave from year to year not to exceed a total of five (5) days. No more than (5) Personal Use Leave Days can be used in a calendar year. Personal Use Leave days over and above five (5) days will roll over into an employee's sick leave balance and carry over to the next year as sick leave.
- 2.3 Personal Use Leave is authorized to permit employees to be absent from work for matters of a personal and private nature.
- 2.4 Personal Use Leave may not be taken on consecutive workdays unless authorized or approved by the employee's principal or immediate supervisor; Provided, however, that notice of such leave days shall be given to the employee's principal or immediate supervisor at least twenty-four hours in advance, except that in the case of sudden and unexpected circumstances, such notice shall be given as soon as reasonably practicable.

However, the use of such days may be denied if, at the time notice is given, either fifteen percent of the employees, or three employees, whichever is greater, under the supervision of the principal or immediate supervisor, have previously notified the principal or immediate supervisor of their intention to use the day for such leave:

Provided further, that such leave will not be used in connection with a concerted work stoppage or strike.

3.0 Absence for Religious Leave

- 3.1 Employees of Barbour County Schools may take two (2) days for **recognized** religious holidays. These days will be deducted from the total Personal Leave allocation earned and not from the four (4) Personal Use Leave days.
- 3.2 Religious holiday days do not accumulate, or roll over, from year to year.

4.0 Absence for Child Care Leave

- 4.1 Parent of newborn children or parent of newly arrived adoptive children shall be granted upon written request, by the Board of Education Child Care Leave for a period not to exceed one calendar year, for any one category of Child Care leave, upon written request for the purpose of pregnancy, childbirth, or adoptive or infant bonding.

4.2 Benefits related to such leave are determined by the specific leave category.

4.2.1 Maternity Leave – Maternity leave shall be granted when an employee’s attending physician certifies in writing that the pregnant employee is unable to work. Maternity leave shall be charged against the employee’s total accumulated personal/sick leave. This leave may continue through the period of childbirth and convalescence through the exhaustion of all of the employees personal/sick leave. Benefits may not exceed the employee’s accumulated personal/sick leave.

4.2.2 Adoptive Parent Leave – Upon the arrival of an adoptive child into the home of an adoptive parent employee, such employee shall be entitled to Adoptive Parent Leave if such employee is the primary caretaker of the adopted child (see definition of Primary Caretaker). This leave may be with pay through the exhaustion of his/her personal/sick leave, and such leave may be regarded as a leave of absence for purposes of determining rights and benefits upon return to work. Benefits may not exceed employee’s total accumulated personal/sick leave.

4.2.3 Primary Caretaker Leave – A parent or adoptive parent who is responsible for attending to a majority of child care duties such as feeding, clothing, supervising, bathing, etc., shall for the purpose of this policy, be determined the primary caretaker and shall be entitled to Primary Caretaker Leave for a period of up to one calendar year upon written request, and may be with pay through the exhaustion of his/her personal/sick leave, and shall be regarded as a leave of absence for purposes of determining rights and benefits upon return to work.

4.2.4 Secondary Caretaker Leave – Immediately following the birth of a child of a secondary caretaker or the arrival of an adoptive child into the home of a secondary caretaker employee, such employee shall be entitled to secondary caretaker leave for a period of five (5) consecutive employment days to be charged against the employee’s accumulative personal/sick leave. Benefits may not exceed employee’s total accumulated personal/sick leave. Secondary caretaker, for the purpose of this policy, shall be defined as a parent or adoptive parent who is not the primary caretaker.

5.0 Absence for Bereavement/Death in Family

5.1 Category 1- Five (5) days leave allowed in the following death in family cases, and deducted from the earned annual personal leave:

- | | |
|----------------|--------------------|
| 1. Spouse | 5. Children |
| 2. Father | 6. Father-in-law |
| 3. Mother | 7. Mother-in-law |
| 4. Son-in- law | 8. Daughter-in-law |

5.2 Category 2 – Three (3) days leave allowed in the following death in family cases, and deducted from the earned annual personal leave:

- 1. Brother
- 2. Sister
- 3. Brother-in-Law
- 4. Sister-in-Law
- 5. Grandparents
- 6. Grandchildren

5.3 Category 3 – One (1) day leave allowed in the following death in family cases, and deducted from the earned annual personal leave.

- 1. Uncle
- 2. Aunt
- 3. Nephew
- 4. Niece
- 5. First Cousin

5.4 Category 4 – Leave for other relationships and other extenuating circumstances as determined by appeal to the Superintendent’s office.

The completion of an Employee Absence Report (Form #1) shall be the responsibility of the employee.

6.0 Calculation of Sick leave

6.1 Sick leave is calculated in the following manner:

Employment term	Days	Sick Leave	Personal Use Leave
200 Days X .075 =	15.00	11.00	4
203 Days X .075 =	15.00	11.00	4
205 Days X .075 =	15.25	11.25	4
210 Days X .075 =	15.75	11.75	4
215 Days X .075 =	16.00	12.00	4
220 Days X .075 =	16.50	12.50	4
230 Days X .075 =	17.25	13.25	4
235 Days X .075 =	17.50	13.50	4
240 Days X .075 =	18.00	14.00	4
245 Days X .075 =	18.25	14.25	4
247 Days X .075 =	18.50	14.50	4
261 Days X .075 =	19.50	15.50	4