

# Leaves for Certificated Staff

2018-19

## What is a leave?

A leave is an authorized absence from an individual's assigned duties. Your contract provides for a variety of leaves. This brochure summarizes some of the leave provisions that are available to you. If you wish to review the actual language, note that the leave section in its entirety is found in Article 19 of your contract.



## Definitions of contract terms

**Household:** Anyone permanently residing in the employee's residence and considered a member of the family.

**Immediate Family:** Spouse, parent, brother, sister, child, grandparent, or grandchild by blood, marriage, or legal adoption.

## Leave for Illness, Injury, and Emergency

Twelve days with full pay are earned each year and are in place as of the first day of school. Unused days carry over from year-to-year. These days can be used for:

- Illness/injury of employee (may use up to total accumulation)
- Illness/injury of employee's spouse, domestic partner, or child (may use up to total accumulation)
- Illness/injury of employee's parents, parents-in-law, grandparents, or other relatives living with the employee (may use up to total accumulation)
- Emergency (may use up to 3 days each year)

## Emergency Leave

Situations for which the use of emergency leave is appropriate are those that are of such a nature that pre-planning by the employee is not possible and are serious and "essentially unavoidable and of importance." Emergency leave may be used for situations like a threat to an employee's property or a serious illness in the household.

## Shared Leave

An employee may use leave donated from other employees after their own sick leave has been exhausted. To be eligible to receive shared leave the employee must suffer from or have a household member or relative suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition which has caused or is likely to cause the employee to take leave without pay or terminate his or her employment.

The recipient or recipient's supervisor will complete the district form on Leave Sharing and submit it to Human Resources.

## Bereavement Leave

Up to 5 days absence with pay is permitted for a death in the immediate family/household of the employee. If needed for the death of a close friend or non-covered family member, 1 day of Emergency Leave may be used.

## Seriously ill parent/adult child leave

- The state's Family Care Leave requires that employers grant leave for family medical purposes. You can use sick leave in order to be paid during this time.
- If you run out of sick leave, it is possible to take unpaid leave.
- During the first 12 weeks, regardless of whether or not you are on sick leave or unpaid leave, your benefits will continue to be paid by the district if you qualify under the federal Family and Medical Leave Act (FMLA).

## Annual Leave

Each employee shall receive 3 days per year. A limit of 40 requests per day on Mondays—Thursdays will be allowed. On Fridays or the day before/after holidays or vacations, a limit of 35 requests will be allowed.

- If possible, your leave should be scheduled at least 48 hours in advance.
- Annual leave may not be used on the first/last days of school or on full-day LEAP days, but may be used before or after vacations or holidays (see request limitations listed above).

Employees may accumulate up to 5 days by carrying over unused days, or they may choose to cash out the unused days at the current substitute rate at the end of the school year.

Annual leave days from the current year will be used prior to accumulated days being used. Accumulated days carry forward until used or cashed out.

## Jury Duty and Subpoena Leave

If you are called for jury duty or subpoenaed as a witness, you need to inform both your principal and Human Resources. You will receive your normal pay plus any pay (including expense reimbursement) you receive. If you are a plaintiff and/or defendant in a case unrelated to your employment, you must either use Annual Leave or take leave without pay.

## Adoption/Foster Leave

You may use up to 5 days of adoption/foster leave each year for court and legal procedures, home study and evaluation, and required home visitation by the adoption/foster agency. In addition, you may use up to 25 days per year of sick leave once the child arrives.

## Leave of absence

Full-time, one-year leaves of absence (without pay or benefits) are granted by HR. You can request a partial leave of absence, but it's subject to district approval.

- Application must be made on or before the first Friday in March.
- By first Friday in March of the year leave was taken, you must notify the district of your intent to return.
- Upon return from leave, individuals will be placed in their same building, except returnees from a 1-year child care or medical leave shall return to the identical position held prior to leave.
- A second year for educational leave may be granted to finish an approved educational program, with similar position guaranteed upon return.

## Temporary Disability Leave

If you are unable to perform your job for medical reasons, you may request a full-time temporary disability leave (part time leaves are subject to District approval). This leave may be granted for illness, injury, surgery, or because of pregnancy or childbirth and may only be granted for the period of actual disability and up to 1 year with the possibility of an extension.

Whenever possible, you need to notify your supervisor and Human Resources 60 days in advance of the intended starting date of the leave. Written documentation from your doctor may be required.

Expiration of your temporary disability leave will be when your doctor says you can return to work and you have given Human Resources notice that you are able to return to work. You will be returned to the same position, as long as that position exists, and your leave did not exceed one year.

## Child Care Leave

Please refer to the LWEA publication "Childbirth and Child Care Leave."

**This summary is meant to clarify the types of leave that available to you. If you have questions or need additional information, please contact the LWEA office (425-822-3388) for assistance.**

