



ACCORDING TO PEA:

Use of Sick Leave and Personal Leave

Sick Leave

Teachers are exempt employees under the Fair Labor Standards Act. This act deals with rules concerning hourly employees and teachers are NOT hourly employees. According to the FLSA the smallest unit of leave an exempt employee can use is ½ day. That does not mean if you need to be gone for 30 minutes that you must be charged for a ½ day of leave. The Teacher Collective Bargaining Agreement has a provision for the principal to allow a teacher a variation in their schedule, 6.2-6 see language below. Such variation to the schedule cannot result in a loss of pay or a loss of accumulated leave. If your principal insists on charging you for a ½ day when you only need to be gone less than that, we recommend that you use your ½ day to take care of additional business.

Certification of Illness

PEA recommends that when you are sick enough that you visit a doctor that you keep the record of the doctor visit for yourself. You are not required to turn in a note to your school unless you are returning from a lengthy illness such as surgery where the doctor must release you to return to work. The only person that can require you to submit a doctor's note when you have been absent is the Superintendent. This can only be requested after you have been disciplined for abuse of your sick leave. Members that are asked to provide a certification of illness for missing a day of work due to illness should contact PEA immediately to get this corrected.

Personal Leave Chargeable to Sick Leave

By statute up to six of your sick leave days may be used each year for personal reasons. When using a personal day you fill out the form at least 24 hours in advance. You do NOT need to give a reason for your personal day unless it is less than 24 hours notice OR on one of the days restricted from using personal leave. The restrictions are listed below in 20.2. Personal Leave does not need to be approved, nor can it be denied. The principal can request documentation that your emergency is truly an emergency. Taking leave for personal illness or caring for a sick family member is SICK LEAVE and you should use it as such. **If you are denied leave or told to take unpaid leave, please call PEA immediately for assistance.**

Teacher Collective Bargaining Agreement:

6.1-4 Substitute teachers shall be employed, when available, for all absent teachers. Employees shall be able to report an illness with one contact 24 hours per day whether through a phone call or through a computer to an automatic substitute placement system. This contact shall satisfy any requirements for scheduling a substitute, if required. When a substitute is not available, the unfilled job number from the substitute placement system must be provided to impacted staff upon request. Substitute teachers shall be expected to perform all of the teacher duties normally performed by the regular teacher as determined by the building principal. Except in emergencies, classroom teachers will leave adequate written teaching plans for the substitute teachers so that the normal classroom activities may be carried out. A teacher may be requested, but not required, to substitute during his/her planning time for another teacher. In the instance of an employee who has been the subject of disciplinary action for absenteeism, a call to a school's administration can be required.

6.2-7 The principal or immediate supervisor shall have authority to grant a teacher's request for variation from the regular school day schedule when circumstances necessitate such a procedure. When granted, such variation shall not result in loss of pay or accumulated leave days to the teacher.

20.1 Sick Leave. Teachers who are employed on a full time basis and who are unable to perform their duties because of their own illness, or because of the illness or death of father, mother, brother, sister, husband, wife,

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child or other close relative or member of their own household, shall be entitled to sick leave. Sick leave shall be credited as follows:

Each member of the instructional staff employed on a full-time basis shall be entitled to four (4) days of sick leave as of the first day of employment of each contract year and shall thereafter earn one (1) day of sick leave for each month of employment, which shall be credited to the member at the end of that month and which shall not be used prior to the time it is earned and credited to the member. However, the member shall be entitled to earn no more than one (1) day of sick leave times the number of months of employment during the year of employment. The maximum number of sick leave days that can be earned is twelve (12). Such leave shall be taken only when necessary because of sickness as herein prescribed. Such sick leave shall be cumulative from year to year. There shall be no limit on the number of days of sick leave a member of the instructional staff may accrue, except that at least one-half of this cumulative leave must be established within the district granting such leave.

20.1-1 In the instance of an employee who has been the subject of disciplinary action for absenteeism, the Superintendent may require a certificate of illness from a licensed physician or mid-level practitioner for any illness-related teacher absence.

20.1-2 Sick leave for teachers working beyond regular 196-day contract, including summer school teachers, will be calculated to the nearest 1/2 day using a 19.6 divisor.

20.1-3 Each teacher will be given written notice of his/her accrued sick leave with each paycheck.

20.1-4 A teacher shall have the right to use sick leave in one-half (1/2) day units.

20.1-5 The Polk School Employee's Sick Leave Bank shall be maintained in accordance with the provisions established by the Sick Leave Bank Committee. The Association shall appoint members to the Sick Leave Bank Committee in proportion to the percentage of its members in the Bank.

20.2 Personal Leave Chargeable to Sick Leave. Teachers shall be permitted to be absent six (6) days each school year for personal reasons and these days shall be charged against accrued sick leave when used. This leave shall be non-cumulative. A teacher planning to use a personal leave day or days shall notify his/her principal or immediate supervisor at least one day (24 hours) in advance. The teacher shall not be required to give reasons for such leave except on such days as specified in this article. Sick leave used for personal reasons may not be used during the first five (5) days or the last five (5) days in which the students are in attendance, or immediately before or after the scheduled holidays of Labor Day, Thanksgiving, Winter Break, Spring Break, Memorial Day, preceding or following recognized holidays provided students are in attendance, or on a Staff Development Day as designated in the District Calendar, except in case of emergency. The teacher shall be required to give reasons when claiming an emergency. Teachers shall not be required to use personal leave chargeable to sick leave to attend a conference when their attendance is required by the administration.