

## PERSONNEL

File: GCBD-R

### STAFF LEAVES AND ABSENCES

1. While Charlottesville City Schools' administration expects high attendance rates for its employees, a variety of leave and absence options for employees is provided when absence from work is necessary.
2. Each leave listed in this regulation is defined here. The Employee Handbook includes criteria and procedures for use. Employees may not be automatically eligible for all leave options and must comply with all procedures for leave and receive the necessary approval for leave as described in the handbook.
3. Any employee not meeting the criteria or following the prescribed procedure may receive disciplinary consequences up to dismissal.
4. Categories of Leave (with full or partial pay):
  - A. Personal Leave: Personal leave available to School Board employees for personal business. Full-time employees are permitted three days of paid personal leave annually. Half-time, but less than full-time employees working no fewer than 17.5 hours per week are permitted one and one-half days of paid personal leave annually. Personal leave will not be granted on any student contact day immediately preceding or following a holiday or during the last eight days of student contact and any post-school work days. Any exception to this must be granted by the principal. If denied by the principal, the employee may appeal to the Superintendent. At the end of each school year, unused personal leave will be credited to the employee's sick leave record.
  - B. Professional or Educational Leave: Employees may be allowed to represent CCS at professional meetings, to attend workshops, to serve on committees, and to observe other personnel without loss of pay with prior written approval of the supervisor. Employees may request unpaid leave to pursue educational purposes. Such leave requests are to be submitted to the Superintendent and leave may be granted with approval of the Superintendent. The impact on the educational environment will be considered prior to approval.
  - C. Jury Duty or Subpoena: Paid administrative leave of absence may be granted to employees to serve on a jury or to attend court as a witness under subpoena. If an employee is involved in a personal case, either as a plaintiff or as a defendant, he/she may not be granted court appearance leave. The time may be charged to personal leave, vacation leave or leave without pay. The employee is

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expected to provide notification of the absences and follow procedures for personal leave.

D. Sick or Accident: Full-time employees will be granted one and one fourth (1  $\frac{1}{4}$ ) days of sick leave per contract month with an unlimited accumulation. Half-time employees working no fewer than 17.5 hours per week are entitled to sick leave which will be earned at one-half the rate the benefit is earned by full-time employees.

**Parental Leave: Accumulated sick leave may be used for the purpose of an employee taking leave to bond with a newborn or child under the age of eighteen. This includes a newly-adopted child, a child born as the result of a surrogate arrangement, or long-term foster care placement. Usage of accumulated sick leave for the purposes of bonding with a new child shall not exceed 30 consecutive work days. Parental leave must be taken within one year of the child's birth or placement. If both parents are employees of Charlottesville City Schools, they may use ~~a combined total of each use~~ up to 30 consecutive days of sick leave for bonding, at the parents' discretion. In the event of adoption, sick time used may include time for travel prior to the adoption when the travel is a documented part of the adoption process.**

**In order to use accumulated sick leave for bonding with a new child, Charlottesville City Schools may require documentation of the birth or placement. Official documents that would be accepted include a report of birth, a birth certificate, an order of parentage, an adoption order, a surrogacy agreement, a custody order, and a foster care placement agreement.**

**Parental leave will run concurrently with an eligible employee's Family Medical Leave Act (FMLA) entitlement and short-term disability benefits.**

Sick leave benefits will not accrue for summer school, evening, part-time, substitute or temporary employees.

A new employee may not claim any portion of earned leave unless he/she has reported for duty in accordance with the terms of the employee's contract. If, however, a continuing contract employee is unable, because of illness, to begin working at the time designated in the contract, such employee may be allowed to

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use his/her accumulated leave, not to exceed the balance of sick leave accumulated as of June 30 of the preceding school year.

Licensed employees may transfer unused sick leave accumulated from other Virginia school divisions. It will be the responsibility of the employee to initiate the transfer of accumulated sick leave credit. The School Board will not accept out-of-state accumulated sick leave credit.

Sick leave may be used for illness or death in the immediate family requiring the attendance of the employee for no more than five days; more than five days of absences requires written approval of the Superintendent or designee. The "immediate family" as defined in these regulations includes natural parents, foster parents, stepmother, stepfather, wife, husband, children, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparents, and any individual living in the household of the employee.

After five days of sick leave, a doctor's certificate shall be required for personal illness, family illness or death in the family.

Any day observed as a holiday that falls within a period of sick leave, will be paid for as a holiday and will not be charged as sick leave.

Employees who leave the school division due to disability or to enter the military or for other reasons approved by the School Board shall retain accumulated leave if they are reemployed immediately upon return from such leave of absence.

Sick leave may be denied to any employee who is found guilty of making false statements of sickness, and such false statements shall be cause for dismissal.

Any available and applicable paid sick leave must be taken by an employee as a part of any leave authorized by the School Board under the Family and Medical Leave Act (FMLA). The regulations for FMLA are located in File GCBE-R.

E. Annual Leave Twelve-month full-time employees shall earn annual leave in the following manner:

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15 working days per year for less than five years of service in a 12-month capacity in the Charlottesville City Schools (1.25 days per month)

18 working days per year for at least 5 full years of service in a 12-month capacity in the Charlottesville City Schools (1.50 days per month)

Annual leave should be planned and approved in advance to avoid employee shortages and scheduling conflicts.

If an employee is transferred, promoted or demoted to a position in which annual leave is not an earned benefit, the employee may retain the leave or may receive payment for the accrued annual leave up to the maximum allowed at the employee's daily rate of pay prior to the transfer, promotion or demotion. If the employee does not request the payment, the employee may retain the leave and will be paid upon separation from the division at the rate following the change in position.

On separation from Charlottesville City Schools, unused annual leave, equivalent to two full years earned annual leave, will be paid at the employee's daily rate as of the date of separation. Any employee may be paid for accumulated annual leave on the following basis:

24 days for less than five years of service

30 days for at least five years of service but less than 10 years of service

36 days for 10 full years or more of service

Employees may retain unused annual leave up to a maximum of 36 days.

Any days beyond this amount should be used by September 30 or they will be forfeited.

No more than 15 days of annual leave may be taken at any one time without permission from the Superintendent.

Annual leave may not be transferred from another school division.

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F. Holidays: The following days shall be observed as holidays for all full-time twelve-month employees:

Independence Day, Labor Day, Thanksgiving Day, Friday following Thanksgiving Day, Christmas Eve, Christmas Day, Day following Christmas, New Year's Day, Martin Luther King, Jr. Day, Monday of Spring Break, Memorial Day, Juneteenth

Whenever the student calendar is adjusted and students are to attend school on a holiday, all employees will be expected to report work.

The Department of Human Resources will send a notice to twelve-month employees regarding the make up for the holiday work.

Whenever a paid holiday falls on Saturday, the workday immediately preceding Saturday shall be observed as the holiday. Whenever the paid holiday falls on a Sunday, the next workday following such day, shall be observed as the holiday.

G. Family Medical Leave Act: A description is located in File GCBE-R.

H. Military: A description is located in File GCBE-B-R

I. Religious: Employees whose religious affiliations require the observance of holidays other than those scheduled in the school calendar may request leave not to exceed three days per school year. The first day of such leave will be granted with pay.

Additional days will be charged against the employee's personal leave. Such leave should be requested at least 10 working days prior to the holiday. If the leave is not requested within 10 working days prior to the holiday, the leave will be granted only if it does not impose an undue burden on the school or department where assigned.

Religious holiday leave requests exceeding three days per school year will be granted without pay, and only if the granting of leave does not impose an undue burden on the school or department where assigned.

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J. Unpaid Leave: Additional regulations for leave without pay are described in File: GCBEA-R (Leave without Pay).

5. Any employee may request leave from work for a reason not covered in the above categories by providing a written request and rationale for the request to the Director of Human Resources.
6. The employee shall provide a copy of the request to the supervisor when submitting the request to the Director of Human Resources.
7. The Director shall confer with the Superintendent, as needed, to determine if the leave will be granted and any conditions for the leave (i.e., paid or unpaid).
8. The request must be approved prior to the leave being taken. If the leave is not approved and the employee does not comply with the denial of the request, the employee will be subject to disciplinary actions and the leave will be without pay.

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Legal References: Code of Virginia, 1950, as amended, section 22.1-78. Cross

References: GCBE Family and Medical Leave  
IC/ID School Year/School Calendar