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| Title: | Employee Leave |
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Vacations – Administrative Personnel

All administrative personnel working full year (260/261 days per fiscal year) shall be entitled to annual vacation leave of twenty (20) days per year.

Vacation leave for administrative personnel hired after the beginning of the fiscal year will be pro-rated. Vacation leave will be granted at the rate of 1.67 days per month for each month worked during the current fiscal year. Vacation leave must be used by June 30th in the fiscal year given. Administrative personnel forfeit any unused vacation leave remaining at the end of the fiscal year. Up to five (5) days of earned but unused vacation leave may be carried forward into the next fiscal year with the approval of the immediate supervisor or Human Resources. Vacation leave carried forward must be used no later than September 1st of the following fiscal year. After September 1st, any unused prior year vacation will be forfeited.

Vacations – Educational Support and Professional-Technical Personnel

All educational support and professional-technical personnel working full year (260/261) days per fiscal year shall be entitled to vacation based on the following:

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| Date of hire to end of first fiscal year | .83 vacation days per month |
| One to three years | 10 vacation days |
| Four years and up to and including ten years | 15 vacation days |
| Eleven or more years | 20 vacation days |

Employees hired between April 1 and June 30 will be considered 1st year on July 1 of the following year.

Vacation days granted during a fiscal year must be used by June 30th of the following fiscal year. Unused vacation days are forfeited if not by used by the end of the second fiscal year.

Vacations – Administrative, Educational Support and Professional-Technical Personnel

Vacation leave is granted and available for use to eligible personnel at the beginning of each fiscal year. However, vacation leave is earned as the year progresses on a monthly basis.

- Employees eligible for 10 vacation days will earn leave at the rate of .83 days per month
- Employees eligible for 15 vacation days will earn leave at the rate of 1.25 days per month
- Employees eligible for 20 vacation days will earn leave at the rate of 1.67 days per month

At the time of separation from NSCA, any earned but unused vacation time will be paid to the employee at his/her per diem rate of pay. In the instance of separation where the entire fiscal year is not completed, any overused vacation time (used but not earned) will be deducted from the employee’s final paycheck.

All requests for vacation leave require the preapproval of the employee's immediate supervisor. Vacation leave may be taken in one-half day or full-day increments only.

Transfer Credit – Educational Support Personnel

For the purpose of vacation day computation, personnel working a school-year calendar who subsequently transfer to a full year (260/261 day) calendar position will be given credit for the months and years of service to NSCA on a month-for-month basis.

Holidays – Administrative, Licensed, Educational Support and Professional-Technical Personnel

NSCA grants to all full year (260/261day) personnel 15 paid holidays each year. Paid holidays shall include federal holidays and other days as approved by the board. The board approved calendar shall specify the paid holidays.

Should any one of the observed holidays occur during an employee's vacation period, the employee is not required to use a vacation day for the board approved holiday.

Holiday time is not counted as hours worked in the computation of overtime. Full-time/full year, non-exempt employees who are authorized to work on a board approved holiday will be paid their regular pay for the holiday in addition to their hourly rate of pay for the hours worked.

Snow Days and Delayed Starts

NSCA employees will receive regular compensation for official "Snow Days" and delayed starts. If the employee has already scheduled time off for a snow day or delayed start, the day will not be converted to a snow day and the prescheduled leave will be applied.

Qualified Leave of Absences

The Board of Education shall provide a plan for leaves and absences designed to help members of the staff maintain their physical health, take care of family and other personal emergencies, and fulfill mandatory military orders.

Such leaves and absences shall be granted in accordance with the law and the Board policies pertaining to specific types of leaves. A completed leave of absence form (GBC-E) may be required for leaves less than five (5) consecutive work days in duration, but in all cases will be required for leaves of five (5) or more days in duration.

The leave provisions in this policy shall apply to all Family and Medical Leave Act (FMLA) absences and provide eligible employees with up to a total of twelve (12) work weeks of leave in a twelve (12) month period. Federally-mandated family and medical leave is administered concurrently with any paid leave covered under other Board policies for any part of the twelve (12) weeks of leave to which the employee is entitled. An employee who qualifies for any type of paid leave shall take the paid leave concurrently.

To be eligible for leave under this policy, an employee shall have been employed for at least twelve (12) months and shall have worked at least one thousand two hundred and fifty (1,250) hours during the twelve (12) month period preceding the commencement of the leave. A full-time classroom teacher shall be deemed to be eligible for family and medical leave. An eligible employee shall be entitled to a combined total of twelve (12) weeks' leave in a twelve (12) month period under particular circumstances that are critical to the life of the employee or qualifying family member.

Leave may be taken upon the birth and for the first-year care of the employee's child; upon the placement of a child with the employee for adoption or foster care and to care for the newly placed child within one year of placement; when the employee is needed to care for a child, spouse, or parent who has a serious health condition; when the employee is unable to perform the functions of his/her position because of a serious health condition; any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty"; or twenty-six workweeks of leave during a single twelve (12) month period to care for a covered service member with a serious injury or illness incurred or aggravated in the line of duty on active duty if the eligible employee is the service member's spouse, son, daughter, parent, or next of kin.

Entitlement for childcare leave shall end after the child reaches age one (1) or twelve (12) months after adoption or foster placement. Leave to care for a child shall include leave for a step-parent or person in loco parentis.

If medically necessary for a serious health condition of the employee or the employee's spouse, child, or parent, leave may be taken on an intermittent or reduced leave schedule subject to certain conditions which pertain to instructional employees. NSCA may require the employee to transfer temporarily to an alternative position, which better accommodates recurring periods of absence or a part-time schedule provided that the position has equivalent pay and benefits.

NSCA shall maintain coverage under any group health insurance plan for any employee who is granted an approved FMLA leave of absence under this policy for the duration of the leave (up to twelve (12) weeks). Such coverage shall be maintained at the same level and under the same conditions as coverage that would have been provided if the employee was not on leave. If the employee is eligible to request a leave extension and needs to take leave time in excess of the twelve (12) weeks of FMLA leave, all insurance benefits will terminate at the end of the twelve (12) week FMLA leave period. The employee will be given the right to continue their insurance coverage, at their cost, under the Consolidated Omnibus Budget Reconciliation Act (COBRA). If the employee returns to their position, they will be eligible to re-enroll in NSCA health plan at that time. NSCA reserves the right to seek reimbursement for this benefit at the time it is given, as allowed by law.

Reinstatement shall be determined in accordance with any applicable Board policies. If the employee on leave is a salaried employee and is among the highest paid 10 percent of District employees and keeping the job open for the employee would result in substantial economic injury to NSCA, the employee may be denied reinstatement provided NSCA notifies the employee of its intent to deny reinstatement at the time economic hardship occurs and the employee elects not to return to work after receiving the notice.

Non-qualified Leave of Absence

The Board of Education shall provide a plan for leaves and absences designed to help employees who are ineligible under the Family and Medical Leave Act (FMLA) maintain their physical health, take care of family and other personal emergencies, and discharge important and necessary obligations.

Such leaves and absences shall be granted in accordance with the Board policies pertaining to specific types of leaves. A completed leave of absence form (GBCA-E) may be required for leaves less than five (5) consecutive work days in duration, but in all cases will be required for leaves of five (5) or more days in duration.

Employees who have completed six (6) months of continuous employment and who do not qualify for leave under NSCA's FMLA policy, GBC, may request a leave of absence under this policy.

Employees in this situation may be granted a medical leave of absence to be used in a block of time, in limited circumstances. Employees may also request leave under the Americans with Disabilities Act/Amendment Act if they are unable to work or require job accommodations.

Unpaid Leave of Absence

An employee, having completed three (3) consecutive years of satisfactory performance, may request an unpaid leave of absence for one school year. The employee must have fully completed the third year in order to be eligible to request this leave of absence. Such leave shall be submitted in writing to the Human Resources department, stating the purpose of the leave. The leave request must be reviewed and approved by the employee's direct supervisor and, if applicable, zone leader.

Normally, such a request should be submitted as soon as possible preceding the school year in which the leave is to be taken but no later than March 1st. Upon recommendation of the Chief Officer and with the approval of the Board of Education, leave without compensation, increment or seniority credit may be granted for a period not to exceed one (1) school year.

However, NSCA may consider an extension based on the merits of the request and/or the needs of NSCA. Failure to so notify NSCA may be deemed to be refusal to obey reasonable rules of NSCA.

Notification of intent to return or request of an extension must be made in writing to the Human Resources department by March 1st prior to the school year in question.

The employee's sick leave and vacation time accumulation and placement on the pay schedule shall be frozen. Personal, vacation and/or sick leave will not accrue during this approved leave of absence. Holiday and snow day pay will not be granted during the leave.

The employee returning from an unpaid leave shall not be guaranteed his/her previous position in NSCA but shall be guaranteed a position in NSCA commensurate with his/her training and/or experience.

The employee's elected district sponsored insurance benefits, if any, to include access to the Employee Assistance Program (EAP), Long Term Disability (LTD) and Life insurance coverage, will end the last day of the month following the employee's last annualized paycheck.

If the employee actively carries district sponsored insurance benefits (medical, dental, vision), the employee will be given the right to continue their insurance coverage, completely paid for by the employee, under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

During the leave of absence, the employee may continue, or elect during open enrollment, other elective benefits in force, as annually contracted by NSCA, by making the full cost of the premium payment themselves directly to the insurance carrier, subject to any provisions and/or restrictions imposed by the insurance carriers.

When the employee returns to work in a position that is eligible for benefits, the employee will be eligible for district sponsored insurance benefits the first day of the month following the employee's first annualized paycheck.

Sick Leave

The Board of Education recognizes that there may be times when an employee is unable to fulfill the duties of his/her position due to illness or to attend to personal matters. Therefore, paid sick leave and paid personal leave is provided for full time employees in accordance with this policy.

Sick leave may be accumulated up to a maximum of 90 work days or the equivalent sick hours for the position. An employee shall be paid at the rate of one half the substitute rate for that position for each day of unused sick leave accumulated over 90 days. Payment will be made on an annual basis at the end of the fiscal year in which an overage has been accumulated.

Sick leave may be taken for personal illness, personal medical appointments, and for the necessary care and attendance of a member of the employee's immediate family. For sick leave purposes, the term "immediate family" shall be defined as spouse, partner in a civil union, children and parents. Educational Support Personnel shall be permitted to use sick leave in quarter hour increments except in the instance of Family and Medical Leave Act which permits leave usage in as little as hourly increments.

Evidence of illness may be required for approval of sick leave pay. Sick leave shall not apply during vacation leave or paid holidays.

A completed leave of absence form may be required for leaves less than five (5) consecutive work days in duration but in all cases will be required for leaves of five (5) or more days in duration.

In cases related to retirement or unused sick leave accumulated over 90 days, Administrative, Professional/ Technical, and Instructional staff shall be paid at the base substitute rate for teachers.

Personal leave

Full-time employees who work 30 hours or more per week may be absent for the purpose of personal leave according to the sick and personal leave accrual schedule contained in this policy. Personal days not used by the end of the fiscal year shall be added to the employee's sick leave balance for the following fiscal year.

Employees should submit a request for personal leave to their immediate supervisor at least three days prior to the day for which it is requested. Requests for personal leave less than three days prior may be granted at the discretion of their immediate supervisor.

Employees may not take personal leave the school day before or the school day after a school break unless his/her supervisor pre-approves the request.

Bereavement leave

The Bereavement Leave Policy establishes uniform guidelines for providing paid time off to employees for absences related to the death of immediate family members and fellow employees or retirees of NSCA.

An employee who wishes to take time off due to the death of an immediate family member should notify his or her supervisor as soon as possible. If an employee leaves work early on the day he or she is notified of the death, that day will not count as bereavement leave.

In addition to bereavement leave, an employee may, with his or her supervisor's approval, use any available vacation for additional approved time off as necessary. Employees under discipline for attendance issues may be required to provide documentation with regard to their bereavement leave.

Bereavement pay is calculated based on the base pay rate at the time of absence, and it will not include any special forms of compensation, such as incentives, commissions, bonuses, overtime or shift differentials.

Paid bereavement leave will be granted according to the following schedule:

- Employees are allowed up to five consecutive days off from regularly scheduled duty with regular pay in the event of the death of the employee's spouse, domestic partner, child, stepchild, parent, stepparent, father-in-law, mother, mother-in-law, son-in-law, daughter-in-law, brother, sister, stepbrother, stepsister, or an adult who stood in loco parentis to the employee during childhood as well as employee's brother-in-law, sister-in-law, aunt, uncle, grandparent, grandchild or spouse's grandparent.
- Employees are allowed one day off from regular scheduled duty with regular pay to attend the funeral of friend, coworker, or other close relationship.

Jury Duty

Employees will receive regular compensation during jury duty service. Any payments made to the employee for jury service must be signed over to NSCA.

LEGAL REFS:

- C.R.S. 22-1-112 (school year – national holidays)
- 29 U.S.C. 2601 et seq. (Family and Medical Leave Act)
- 29 C.F.R. Part 825 (regulations)
- C.R.S. 14-15-101 *et. Seq.* (Colorado Civil Union Act)