

## EMPLOYEES

### Series 400

Policy Title Classified Employee Personal Illness Leave

Code No. 414.02

Classified employees are granted ten days of sick leave in their first year of employment. Each year thereafter, one additional day of sick leave will be granted to the employees up to a maximum of fifteen days. "Day" is defined as one work day regardless of full-time or part-time status of the employee. A new employee will report for work at least one full work day prior to receiving sick leave benefits. A returning employee will be granted the appropriate number of days at the beginning of each fiscal year. Sick leave may be accumulated up to a maximum of 120 days for classified employees.

Evidence may be required regarding the mental or physical health of the employee including, but not limited to, confirmation of the following: the employee's illness, the need for the illness leave, the employee's ability to return to work, and the employee's capability to perform the duties of the employee's position. It is within the discretion of the board and the superintendent to determine the type and amount of evidence necessary. When an illness leave will be greater than three consecutive days, the employee will comply with board policy regarding family and medical leave.

If an employee is eligible to receive workers' compensation benefits, the employee will contact the board secretary to implement these benefits.

#### **Sick Leave Bank**

Each district employee eligible for personal sick leave benefits may elect to participate in the sick Leave Bank established by this policy. This includes administrators, teachers and support staff.

The election to participate must be indicated not later than September 10 of each year. This participation request must be on a written form provided by the Central Office. The employee contributes one day per person of the employee's unused sick leave.

Each participant who has used all of the employee's personal sick leave, vacation and personal leave may petition the Sick Leave Bank for sick leave assistance.

An employee who qualifies for the Federal Medical Leave Act and has exhausted all of his/her accumulated sick leave may draw up to ten (10) days of emergency sick leave per year from the voluntary sick leave bank if he/she has donated one (1) day of his/her sick days by September 10 of that current fiscal school year. Days from the bank may only be used in situations which qualify for the Federal Medical Leave Act. Staff may apply for an additional ten (10) days after exhausting the original ten (10) days. The bank is contingent upon voluntary donations, thus, when the bank is empty, it will be impossible to draw any additional days. This sick leave bank will carry over any unused days until the next school year to a maximum of 100 days.

The application for sick leave assistance has been developed and is available in the superintendent's office. A doctor's statement will be required will all information to be kept confidential.

#### **Legal Reference:**

Whitney v. Rural Ind. School District, 232 Iowa 61, 4 N.W.2d 394 (1942).

26 U.S.C. §§ 2601 *et. seq.* (2006).

29 C.F.R. Pt. 825 (2006).

Iowa Code §§ 20; 85.33, .34, .38(3); 279.40 (2009).

1980 Op. Att'y Gen. 605.

1972 Op. Att'y Gen. 177, 353.

1952 Op. Att'y Gen. 91.

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**Cross Reference:**

403.02 Employee Injury on the Job

414.03 Classified Employee Family and Medical Leave

414.08 Classified Employee Unpaid Leave

Date of Adoption: June 14, 2010 (Revised)

Related Administrative Rules and Regulations:

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