

At the beginning of the employment year, all non-certificated employees of this district, who regularly work twenty (20) hours or more per week, and all certificated employees, who work half-time or more per week, will be entitled to sick leave with full pay of one (1) day for each month of service in which they work a majority portion of that month, as projected for the employment year. Employees who work more than 20 hours per week, but less than full-time, will have the sick leave prorated by the full-time equivalent (FTE) worked.

“Employment year” is defined as beginning July 1 and continuing through June 30 of the following year.

“Month of service” is the individual employee’s monthly work schedule for which they are hired to work.

“Substitute employee” is defined as an employee who works on an as-needed basis and who is not given a regular work schedule.

CALCULATION OF SICK LEAVE

Sick leave will be calculated pursuant to the employee’s “month of service,” as projected at the beginning of the employment year. If it is projected that the employee will work a majority portion of the hours for which he/she is normally scheduled during any given month, he/she will be entitled to sick leave for that month. Sick leave benefits will not be credited for those months in which the employee is not projected to work a majority portion of his/her month of service.

Certificated Employees: Sick leave for certificated employees will be calculated by the day, or percentage thereof, as defined in the individual employee’s contract. Additional sick leave may be provided to certificated personnel when the negotiated agreement between the district and the local education organization so specifies.

Non-Certificated, Full-Time Employees: Non-certificated, full-time employees who are scheduled to work 40 hours per week, 12 months per year, will be credited sick leave at the rate of one (1) eight-hour day per month of service. Non-certificated, 12 month employees who work less than full-time, but more than 20 hours per week, will be credited sick leave at a rate calculated proportionate to the average hours worked per day.

Non-Certificated, School-Year Employees: Non-certificated employees who work less than full-time, but more than 20 hours per week, will be credited sick leave at a rate calculated proportionate to the average hours worked per school day for the months of September through June.

Substitute Employees: Sick leave for substitute employees, who work more than 20 hours per week, will be projected by reviewing the hours typically worked in a particular job category. The total number of hours worked during the prior year in the particular job category will be divided by the total number of employees employed in that job category. The superintendent or

designee may adjust the projection as necessary to account for anticipated changes in hours to be worked in a substitute status.

NOTICE OF CREDITED SICK LEAVE

Each employee will be credited sick leave for the employment year, and notified of the sick leave benefits to which he/she is entitled, at the beginning of the employment year, or first day of employment if employment commences during the employment year.

MEDICAL DOCUMENTATION

To protect the district against malingering and false claim of illness, an employee may be required to provide proof of illness, at the discretion of the superintendent or designee. The superintendent or designee may require proof of the employee’s ability to return to work following an illness.

3. In the event that an employee has not returned to work within thirty (30) contract days as a result of mental illness, physical illness or other disability, the affected person shall be required to provide the Superintendent, or designee, with a medical statement from the attending physician attesting to the need for continuance of the recovery period.

4. An employee who has not returned to work by the ninetieth (90) contract day of illness or disability may be terminated unless verification of the need for the extended recovery period is substantiated by a physician.

ACCUMULATION OF SICK LEAVE

Unused sick leave will be accumulated from year to year, without limitation, or as otherwise provided in the negotiated agreement, as long as an employee remains continually in the service of this district. From the revision date for Idaho Code Section 33-1217 (1974), the district negotiated master agreement has aligned with and stated there is no limitation as to accumulated, unused sick leave.

NOTE: Nothing in this policy shall create any right to accrued sick leave for any former employee who has left employment with the school district for any reason.

If a new employee has been employed by another district or state educational agency during the year immediately preceding, that individual’s accumulated sick leave will be secured for, and credited to, that new employee.

In no event will the board compensate an employee for unused sick leave, but the ability of the board of trustees to approve retirement severance pay is not limited or prohibited by this policy.



LEGAL REFERENCE:

Idaho Code Sections

33-1216 through 33-1218

Family Medical Leave Act

29 USC Section 2654

58 CFR 31812 through 31839

Porter, et al. v. Bd. of Trustees, Preston School District No. 201, 105 P.3d 671 (Idaho 2004).

ADOPTED: May 27, 1976

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