

## **Staff Sick Leave**

The Board recognizes that there may be times when an employee is unable to fulfill the duties of their position due to illness. Therefore, paid sick leave is provided for full time employees in accordance with this policy.

### **Accrual and use**

Paid sick leave may be accumulated without limit at the rate of 12 days per year for Certified staff, 9 days per year for Classified staff and 7 discretionary days per year for Bus Drivers. Unused discretionary days (leave which is taken at the discretion of employee) may be carried over and accumulated as sick leave days. Sick leave may be taken for the following reasons:

- personal mental or physical illness, injury, or health condition or the need to obtain medical care;
- the necessary care and attendance for the employee's family member who has a mental or physical illness, injury or health condition or the need to obtain medical care;
- seeking medical attention or related services if the employee or a member of the employee's family has been the victim of domestic abuse, sexual assault, or harassment;
- the district has been ordered to close by a public official due to a public health emergency; or
- the school or childcare provider for the employee's child has been ordered to close by a public official due to a public health emergency and the employee needs to be absent from work to care for their child.

Two days of personal leave, which does not accrue, may be granted each year to all licensed and classified employees (excluding bus drivers), working half-time or more, by approval of the Superintendent. Personal leave shall not be granted for the day prior to or the day following a scheduled vacation unless extenuating circumstances exist and prior approval is granted by the Superintendent. Personal leave will not accrue or be carried over.

Sick leave is to accumulate at the rate of one and one third days per month (September through May for Certified staff) of each contract year. A maximum of 72 days may be accumulated. Upon retirement the district may buy back unused sick leave days pursuant to policy GCQEB.

For sick leave purposes, the term "family member " means a member of the employee's immediate family (a person who is related by blood, marriage, civil union, or adoption), a child to whom the employee stands in loco parentis or a person who stood in loco parentis to the employee when the employee was a minor, or a person for whom the employee is responsible for providing or arranging health- or safety-related care. Exceptions may be made by the superintendent.

Documentation may be required for approval of taking four or more consecutive paid sick days. Any health or safety information relating to an employee or employee's family member will be maintained on a separate form and in a separate file from other personnel information, treated as confidential medical records, and will not be disclosed except to the affected employee or with the express permission of the affected employee.

### ***Reinstatement upon rehiring***

*If an employee separates from employment with the district and is rehired by the district within 6 months after the separation, the district must reinstate any paid sick leave that the employee had accrued but not used during the employee's previous employment if that accrued paid sick leave had not been paid out at the time of the separation.*

Two days of personal leave may be granted each year to all licensed and classified employees (excluding bus drivers), working half-time or more, by approval of the Superintendent. Personal leave shall not be granted for the day prior to or the day following a scheduled vacation unless extenuating circumstances exist and prior approval is granted by the Superintendent.

Sick leave is to accumulate at the rate of one and one third days per month (September through May for Certified staff) of each contract year. A maximum of 72 days may be accumulated. Upon retirement the district may buy back unused sick leave days pursuant to policy GCQEB.

### **Additional leave during a public health emergency**

In addition to the paid sick leave generally accrued, on the date a public health emergency is declared the district will supplement each employee's accrued paid sick leave as necessary to ensure that full-time employees who work 40 hours or more in a week may take at least 80 hours of paid sick leave and that employees who work fewer than 40 hours in a week may take at least the greater of the number of hours the employee is scheduled to work in a 14-day period or the average time the employee works in a 14-day period. The district may count an employee's unused accrued paid sick leave toward the supplemental paid sick leave.

An employee may use the supplemental paid sick leave until 4 weeks after the official termination or suspension of the public health emergency. Leave under this provision may be taken for the following reasons:

- self-isolation or seeking medical care or treatment due to a diagnosis or symptoms of a communicable illness that is the cause of a public health emergency;
- caring for a family member who is self-isolating or seeking medical care after being diagnosed or is experiencing symptoms of a communicable illness that is the cause of a public health emergency;
- a determination from a local, state, or federal public official or health authority that an employee or a member of the employee's family that the employee cares poses a risk to the health of others;
- caring for a family member when the individual's school or place of care has been physically closed due to a public health emergency; or
- an employee's inability to work because of a health condition that may increase susceptibility to or risk of a communicable illness that is the cause of a public health emergency.

Documentation is not required to take paid sick leave during a public health emergency.

### **Nondiscrimination**

The Board, the superintendent, other administrators and district employees will not unlawfully discriminate, take adverse action, or retaliate against any employee who takes, attempts to take, or supports taking paid sick leave in accordance with this policy, files a complaint or informs any person about an alleged violation of the Healthy Families and Workplaces Act, or participates in an investigation, hearing, or proceeding related to such matter.

### **Notice**

To reduce unlawful discrimination and to ensure a healthy workplace environment, the administration is responsible for providing notice of this policy and the poster created by the Colorado Department of Labor and Employment to all district schools and departments. The policy must be referenced in employee handbooks and otherwise be made available to all staff through electronic or hard-copy distribution.

Adopted: February 3, 2021

LEGAL REFS.: C.R.S. 2-4-401 (*definition of immediate family*)  
C.R.S. 8-13.3-401 et seq. (*Healthy Families and Workplaces Act*)

CROSS REFS.: GBGF, Federally-Mandated Family and Medical Leave  
GBGH, Sick Leave Bank  
GBGL, Staff Victim Leave  
GBJ, Personnel Records and Files

Big Sandy School District 100-J, Simla, Colorado