

ABSENCES, LEAVES AND VACATION

Chapter 9 Absences, Leave and Vacation

The policies and rules governing absences and leaves of personnel are determined by and patterned after state laws and regulations.

Sick Leave (Board Rule 6Gx13- 4E-1.O1)

Each full-time employee is entitled to accumulate one (1) day of sick leave per month of employment. Such sick leave shall not be used prior to the time it is earned and credited to the employee; furthermore, the employee shall be entitled to earn no more than one (1) day of sick leave times the number of months of employment during the year. An employee who is paid for eleven (11) days or more in **two (2) consecutive** pay periods (a payroll accrual month) will accrue one (1) day sick leave for that month.

Half-day employees are to be reported as working half-days, and similarly, any sick or personal leave taken is to be reported in half-day increments.

Employees are allowed to accumulate and carry forward unused sick leave, to be added to their next year's sick leave balance, not to exceed legal limitations.

Sick leave may be used for illness and/or death of the following:

Mother	Husband	Foster Parents
Father	Wife	Foster Children
Sister	Child	Step Children
Brother	Grandchild	Step Parents
Mother-in-Law	Son-in-Law	Uncle
Father-in-Law	Daughter-in-Law	Aunt
Brother-in-Law	Grandmother	Niece
Sister-in-Law	Grandfather	Nephew

Additionally, it may be used for illness and/or death of persons residing at the same residence as the person who is requesting sick leave.

A district employee may authorize his or her spouse, child, parent, or sibling, who is also a district employee, to use sick leave that has been accrued by the authorizing employee. The recipient may not use the donated sick leave until all of his or her sick leave has been depleted, excluding sick leave from a sick leave pool, if the recipient participates in a sick leave pool.

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Personal Leave

Each employee eligible for sick leave accrual is also entitled to six (6), depending on the employee's bargaining unit, which may be taken for personal reasons each fiscal year. Personal leave is chargeable to accrued sick leave and is noncumulative.

EXAMPLE: If an employee has ten (10) sick leave days and four (4) personal days, the total balance of sick leave days and personal days is ten (10), four (4) of which can be used for personal reasons.

Annual Leave or Vacation (Board Rule 6Gx13- 4E-1.18)

Twelve-Month full-time employees (pay code C) are entitled to accumulate annual leave. Vacation accrual rates and vacation accrual limits are specified in the individual labor contracts for employees represented by exclusive bargaining agents.

Vacation accrual rates depend, in some cases, on years of employment. A year of creditable service, for annual leave purposes, is defined as over one-half of the employee's contractual period during a fiscal year. An employee who is paid for eleven (11) days or more in two (2) consecutive pay periods (payroll accrual month) will accrue vacation for that month. Annual leave shall be scheduled by supervisors so that there is minimum disruption of the operation of the department/school. Vacation leave cannot be taken in advance of its accrual.

Holiday Leave (Board Rule 6Gx13- 4E-1.18)

Twelve-Month Employees - The following days are normally observed as paid holidays:

- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Christmas Day
- New Year's Day
- Martin Luther King's Birthday
- All Presidents' Day
- Memorial Day

In addition to the holidays listed above, the following three (3) days have been approved

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as official paid holidays:

Friday following Thanksgiving;
Two (2) days in addition to December 25.

Ten-Month Employees - Holiday leave for ten-month employees is determined by the calendar adopted annually by the Board.

Ten-Month full-time, permanent part-time and part-time probationary, working during the summer, are **not** entitled to any paid legal holidays during the summer (i.e., Independence Day).

Probationary Employees - The following days are normally observed as paid legal holidays:

Labor Day
Veteran's Day
Thanksgiving Day (Thursday only)
Martin Luther King's Birthday
All Presidents' Day
Memorial Day
Independence Day (12-month employees only)

Contracted Employees - With some exceptions, which are specifically stated in the employee's contract, contracted employees are entitled to the following paid holidays:

Independence Day
Labor Day
Thanksgiving Day (Thursday only)
Martin Luther King's Birthday
Christmas Day (December 25th only)
New Year's Day
Memorial Day

When a holiday falls on a Saturday or a Sunday, it shall be observed on the preceding Friday or the following Monday, respectively.

Jury Duty and Subpoena as a Witness (Board Rule 6Gx13- 4E-1.04)

Any **full-time** or **regular part-time** employee who is summoned as a member of a jury panel,

or

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any **full-time** or **regular part-time** employee who is subpoenaed as a witness, not involving his/her own personal litigation,

or

any employee subpoenaed in the line of duty to represent the School Board as a witness or defendant, shall be reported as **“OTHER”**.

When subpoenaed as a witness, or on jury duty, official notification from the court, indicating time spent, should be attached to the Application for Leave form.

NOTE: When an employee is involved in his/her own litigation and must appear in court, the time must be reported as either **“PERSONAL”**, **“VACATION”** (if approved by the administrator), or **“LWOP”**.

Illness In-Line-Of-Duty (Board Rule 6Gx13- 4E-1.13)

Any district School Board employee is entitled to illness in-line-of-duty leave when he/she has to be absent from duties because of illness from any contagious or infectious disease contracted in School Board work. Illness In-Line-of-Duty for employees represented by a collective bargaining agent will be defined in the collective bargaining agreement.

Contagious or infectious diseases shall include: measles, chicken pox, diphtheria, rubella, typhoid, meningitis, tuberculosis, conjunctivitis (pink eye), hepatitis, mononucleosis, ring worm and pediculosis (head lice), when substantial proof is provided that such illness resulted from contact with students or other employees. Influenza and strep throat are not construed to be contagious diseases.

Leave will be authorized for all school board employees, **not to exceed a total of ten (10) working days during any fiscal year**, for illness contracted from the causes prescribed above. Part-time employees should be reported on a Write-In Transactions screen, indicating the circumstances under **“comments”**, **not to exceed the ten (10) working days limit**.

The Payroll Department is not authorized to pay any time over the ten (10) day limit.

Injury In-Line-Of-Duty (Board Rule 6Gx13- 4E-1.13)

Any district School Board employee shall be entitled to injury in-line-of-duty leave when he/she has to be absent from duties, as determined by a Board approved physician, because of an injury received in the discharge of School Board duties. Injury In-Line-of-Duty for employees represented by a collective bargaining agent will be defined in the collective bargaining agreement.

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All injuries occurring on the job must be reported immediately to the worksite administrator. A Notice of Injury must be completed by the worksite, via telephone, by calling (305) 995-COMP.

If medical treatment is necessary, the employee will be directed to the appropriate facility.

A medical evaluation, conducted by a physician approved by the Office of Risk and Benefits Management, will be the determining factor as to when the employee is able to return to duty.

For those full-time employees who are totally disabled as a result of a compensable injury, checks are sent directly to the employee's home for the first thirteen (13) weeks immediately following the date of injury.

Full-time employees whose authorized disability extends beyond thirteen (13) weeks will receive the Statutory Workers' Compensation benefit checks from our servicing agent.

Part-time employees should be reported on a Write-In Transaction screen, indicating the circumstances under "comments", **not to exceed ten (10) working days**.

Payment for sick leave granted for Injury In-Line-of-Duty will be computed at the daily sick leave rate, less the daily Workers' Compensation rate, for each sick leave day granted.

If you have an employee who incurs an accident which arises out of and in the course of employment, the following steps should be taken:

1. Complete a Notice of Injury form, via telephone, by calling (305) 995-COMP.
2. Full-time employees (who accrue sick leave) who become injured and do not return to work following their accident should be reported as "Injury In-Line-of-Duty" leave, for payroll purposes. The employee's leave card(s) reflecting this should include the date of accident under "comments".
3. Once a full-time employee has missed ten (10) consecutive work days due to the injury, the employee should be placed into work location 9920 - Workers' Compensation - Full Salary. The effective date of the transfer should be the same as the date of accident. The computer will accept this retroactive effective date and will automatically calculate the thirteen (13) weeks or ninety-one (91) days of full salary eligibility. Worksites will be responsible to initiate the transfer of employees to work location 9920. This transfer will not occur until the transaction is approved and finalized by the Office of Risk and Benefits Management.

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4. Full-time employees who continue to be disabled, as determined by a Board approved physician, in excess of thirteen (13) weeks or ninety-one (91) days will automatically be transferred from work location 9920 - Workers' Compensation, to work location 9916 - Workers' Compensation - No Salary (Workers' Compensation Payments Only). This transfer will occur automatically after the ninety-first (91st) day, therefore, it is imperative that the effective date of transfer to work location 9920 be the date of the accident.
5. Full-time employees who have been transferred to work location 9916 will receive Workers' Compensation Benefits from the claim administrator of the servicing company, in an amount dictated by Florida Statute, Section 440, and will be eligible to borrow sick days to supplement their Workers' Compensation Benefits, for a period not to exceed six (6) months from the date of injury. Employees who do not have accrued sick leave will be eligible to receive leave without pay benefits. Employees must complete an Application for Restoration of Time in order to be eligible to have used sick days restored or to be paid for leave without pay benefits. Employees, whose applications have been completed and returned to work pursuant to the approved physician's directions, will be reviewed and approved the Office of Risk and Benefits Management.
6. Once the employee is released to return to work, the Office of Risk and Benefits Management will return the employee to their regular PAC, at their regularly assigned work location.
7. Part-time employees (those not eligible for accrued sick leave) will ONLY be eligible for a maximum of ten (10) days paid Injury Leave and Workers' Compensation Benefits as defined by Florida Statutes, Section 440.

Temporary Duty (Board Rule 6Gx13- 4E-1.19)

Any regular employee may be assigned to be temporarily absent from their regular duties and place of employment for the purpose of performing other educational services, including participation in school surveys, professional meetings, study courses, workshops, etc. Such temporary assignment will ordinarily be initiated by the school/worksite administration. Employees will receive their regular pay, and may be allowed expenses as provided by law and regulations of The School Board of Miami-Dade County, Florida. Such temporary duty shall be considered equal to the regular duties of the individual, and employees performing such assigned temporary duties shall not be considered to be on leave.

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Voting Leave (Board Rule 6Gx13- 4E-1.17)

The Board agrees, upon approval of the principal or supervising administrator, to allow an employee who is a registered voter a reasonable amount of time off with pay, to vote in each local and general election. The location of the employee's precinct, work location and work schedule shall be considered in scheduling such time off. The employee can be required to show proof of registration.

Leave Of Absence For Emergency Purposes (Board Rule 6Gx13- 4E-1.072)

When schools or other school board facilities are closed due to natural disaster or other catastrophe, discretionary emergency leave with or without pay may be granted by the Superintendent to full-time school board employees who were prevented from reporting to work.

Sabbatical Leave (Board Rule 6Gx13- 4E-1.08)

Sabbatical Leave may be approved by the Board for members of the instructional and administrative staff who wish to pursue professional and personal growth activities that will be beneficial to Dade County Public Schools.

While on Professional Sabbatical Leave, employees will receive monthly payments as approved by the Board.

Professional Leave (Board Rule 6Gx13- 4E-1.09)

Any regular member of the instructional or professional administrative staff may be granted three (3) weeks of professional leave during any school year when school is not in session, with such leave cumulative for not more than two (2) years, in accordance with Florida Statutes and DOE rules.

Extended Professional Leave: Extended professional leave is leave granted in excess of thirty (30) days. No one may receive more than two (2) consecutive years of Extended Professional Leave.

Extended Parental/Illness Of Self/Leave Without Pay (Board Rule 6Gx13- 4E-1.10)

An employee who is pregnant or ill shall be granted extended leave without pay at the employee's request.

Parental Leave shall also be provided, upon request, to male employees and adoptive parents of infants (one year of age or less).

Employees on Extended Parental or Illness Of Self Leave Without Pay may, upon

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approval and with their health care provider's concurrence, be employed in a part-time of substitute capacity on a limited basis.

The full text of provisions governing this type of leave is contained in the Board Rules and Labor Contracts, and these provisions shall govern the administration of such leaves.

Military Leave (Board Rule 6Gx13- 4E-1.11)

A full-time, regular employee may be granted a Military Leave Of Absence provided that:

1. The employee is inducted in the Armed Services via the Selective Service Act, or volunteers;
2. The employee enlists in the Armed Services during the period our forces are engaged in combat;
3. The employee is recalled to active service from a reserve status.

Temporary Military Leave (Board Rule 6Gx13- 4E-1.11)

If obligation cannot be met during the time when school is not in session, temporary leave for military service is granted with full pay (not to exceed seventeen (17) days compensation per calendar year), provided evidence is submitted from responsible military authority that such required training cannot be conducted at any other time.

The full text governing this type of leave is contained in the Board Rules and Labor Contracts, and these provisions shall govern the administration of such leaves.

Personal Leave Without Pay (Board Rule 6Gx13- 4E-1.14)

Leave of absence without pay for personal reasons, not to exceed thirty (30) consecutive actual work days, may be granted to full-time, regular employees, if approved by the Superintendent of School, or designee.

The full text governing this type of leave is contained in the Board Rules and Labor Contracts, and these provisions shall govern the administration of such leaves.