

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

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.
- Personal leave (two days per year will be allowed for personal leave, unless approved by superintendent or designee).

All sick leave shall be calculated in $\frac{1}{4}$, $\frac{1}{2}$, or full day units.

Except in the case of an unforeseen emergency as approved by the superintendent or his designee, sick leave shall not be used on the first four days that teachers report back to work, the final student contact day, or in conjunction with holiday or spring breaks. Use of leave on the aforementioned days will be charged against the employee's salary at the employee's per diem rate.

At the beginning of every contract year, all full-time school district employees will be granted annual leave days as follows:

- Certificated employees shall earn one day for each month worked in accordance with the following:
 - Teachers shall be granted ten (10) days per year at the rate of one (1) day per month during the months of August through May.
 - Principals shall be granted eleven (11) days per year at the rate of one (1) day per month during the months of August through June.

- Classified employees shall be earn one day of sick leave for each month worked. Such sick leave should be consistent with the length of their duty day/year in accordance with the following:
 - 12 month employees—12 days.
 - School secretary—11 days.
 - Paraprofessionals—10 days.
 - Bus drivers—10 days.
 - Cafeteria staff—10 days.

Sick leave for all full-time staff hired after the beginning of the fiscal year or staff working less than a full-time equivalent will be pro-rated.

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.

Payment upon separation

Upon termination of employment an employee will be paid for unused sick leave at the following rate:

- For 20+ years of service in the Peyton School District: 100% of the certified/classified base substitute pay rate for each unused accrued sick leave day (up to 80 days max);
- For 10-19.99 years of service in the Peyton School District: 75% of the certified/classified base substitute pay rate for each unused accrued sick leave day (up to 65 days max);
- For 5-9.99 years of service in the Peyton School District: 50% of the certified/classified base substitute pay rate for each unused accrued sick leave day (up to 50 days max);

Employees hired between August 1, 2016, and March 16, 2021, but have not reached 5 years of service in the Peyton School District will be paid \$50 per day of unused accrued sick leave up to 40 days.

Any other circumstances of payment of unused sick leave must be approved by the board of education.

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.

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.

March 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