

LEAVES

Definition of Eligible Staff Member:

All regular staff are eligible for leave according to their positions as defined below. Temporary hires, regardless of hours, are not eligible for leave. The fiscal year shall run from July 1 through June 30 of the following year.

Annual Leave for Administrative Staff

12-month, non-teaching staff employed at East Dakota Educational Cooperative's Administrative Offices accrue 20 days of annual leave each fiscal year at a rate of 1.67 days per month. A maximum of 10 days may be carried over to the next fiscal year. Unused annual leave days are paid to the employee upon termination.

Personal Leave for High Impact/Career Academy, Transition Advantage and OT/PT

Because they do not have the ability to schedule absences during the school year, staff working at High Impact/Career Academy, Transition Advantage, or as occupational or physical therapists may take up to two days of personal leave each fiscal year, provided that requests for leave be made at least five days in advance and subject to coverage availability. Unused personal leave cannot be carried over to the next fiscal year. Staff regularly scheduled to work at least 50% of a full-time calendar as defined by their position will have 2 days of personal leave available to them; staff working less than 50% will have one.

Sick Leave

Upon request, an eligible staff member may take sick leave with full compensation for personal illness, pregnancy and related illness, eye and dental care, medical examinations, illness or medical examinations of a family member where the staff member's presence is required, or bereavement subject to the guidelines below.

Accrual

Sick leave will accrue as follows:

- Administrative and residential facility staff regularly scheduled to work 100% of a full-time calendar as defined by their position accrue 1.25 days sick leave per month.
- High Impact/Career Academy, Transition Advantage, Educational Service Agency Career and Technical Education, occupational therapists and physical therapists staffers regularly scheduled to work 100% of a full-time calendar as defined by their position accrue 1 day of sick leave per month.
- Staff regularly scheduled to work between 50% and 100% of a full-time calendar as defined by their position will accrue a pro-rated number of days of sick leave per month.
- Staff members working less than 50% of a full-time calendar as defined by their position accrue 2 days at the beginning of each fiscal year to be used during that fiscal year.

Accumulation

Staff members may accumulate up to a maximum of 120 working days of sick leave at any time. Staff members whose sick leave balances exceeded 120 days on June 30, 2009 will be allowed to accumulate up to the amount of the balance held on that date. Staff members working less than 50% of a full-time calendar as defined by their position do not carry over unused sick leave from year to year.

Terms of use

Staff members may only use sick leave on calendar days when they are normally scheduled to work. For example, a staff member working a 185-day calendar who does not normally work during the month of July may not take sick leave during that month. Staff members may not borrow from days not yet accrued.

Non teaching staff may take sick leave in $\frac{1}{4}$ day (or 2 hour) increments for medical appointments. Teaching staff may take sick leave in $\frac{1}{4}$ day (or 2 hour) increments so long as no substitute is required. Should a substitute be required, leave must be taken in $\frac{1}{2}$ day (or 4 hour) increments

The Cooperative has the right to investigate the use of sick leave and may request a staff member to provide a doctor's certification and periodic recertification for continued use of sick leave for the staff member's own illness or that of a family member.

Sick leave can only be used during employment and any unused sick leave will not be paid to the staff member upon termination.

Maternity Leave

Staff members not eligible for leave under the federal Family and Medical Leave Act, and who have completed one year of employment with the Cooperative, and have worked for the Cooperative for at least 1,250 hours in the previous 12 months may take up to 12 weeks of paid or unpaid leave for birth and care of a newborn child of the staff member during the first 12 months of the child's life. Accrued paid sick leave may be used for all work days occurring within the six week period immediately following birth. Any additional use of sick leave beyond the six weeks following birth, or during the period prior to birth, will require a doctor's certification of the medical necessity for the leave. Following the use of sick leave, any available scheduled absences, annual or personal leave may be utilized. If all leave is exhausted before a 12 week period has passed, the staff member may submit a written request for prior approval from the Director for leave without pay.

During the period of maternity leave, the staff member is entitled to the continuation of all retirement, life, disability, health or dental insurance for which the employee is currently enrolled. Staff members will not accrue sick days and annual leave days while on unpaid leave. The Cooperative will continue to pay its portion of the health insurance, and it will be the staff member's responsibility to continue to pay for his or her portion. If an employee fails to make premium payments in a timely manner, group health insurance may be cancelled.

Sick leave for bereavement

A staff member may use accrued sick leave for the death of an immediate family member. For the purposes of this policy, an immediate family member is defined as the employee's

spouse, parent, child, sibling; the employee's spouse's parent, child or sibling; the employee's child's spouse; grandparents or grandchildren. Special consideration will also be given to any other person whose association with the employee is similar to any of the above relationships. Use of sick leave under this provision for death of family members or friends not outlined here is subject to the Director's approval.

Sick leave in cases of illness or medical appointment of a family member

A staff member may use accrued sick leave in cases of illness or medical appointment of an immediate family member where the staff member's presence is required. For the purposes of this policy an immediate family member is defined as the employee's spouse, parent or child; or the employee's spouse's parent or child. Special consideration will also be given to any other person whose association with the employee is similar to any of the above relationships. Use of sick leave under this provision for illness or medical appointments of family members or friends not outlined here is subject to the Director's approval.

Military Leave

East Dakota Education Cooperative complies with the Uniformed Services Employment and Reemployment Rights Act (USERRA), which provides job protection and rights of reinstatement to staff members who participate in the National Guard and Reserve. Staff members called to active duty should consult with the Human Resources Director concerning required absences and benefit rights.

Leave of Absence Without Pay

Leave of absence without pay may be granted by the Director for up to one (1) year. All accumulated qualified sick, annual, personal leave or scheduled absences must be exhausted prior to requesting unpaid leave. In the case of leave due to extended illness of the staff member or the staff member's family member that requires the presence of the staff member, the staff member is entitled to the continuation of all retirement, life, disability, health or dental insurance for which the employee is currently enrolled, for up to 12 weeks if the staff member is not eligible for leave under the federal Family and Medical Leave Act, and has completed one year of employment with the Cooperative, and has worked for the Cooperative for at least 1,250 hours in the previous 12 months. The Cooperative will continue to pay its portion of insurance benefits, and it will be the staff member's responsibility to continue to pay for his or her portion. If the employee fails to make premium payments in a timely manner, group insurance may be cancelled. Staff members will not accrue sick days and annual leave days while on unpaid leave.

Jury Leave

Eligible staff members summoned for jury duty will be granted leave with pay for the days or parts of days such absence is required. Any per diem received for jury duty will be reported to the Business Office and offset from the staff member's check for that period. No charges will be made against accrued leave.

Court Appearance

Staff members required by subpoena to appear as a witness (whose presence is required in a professional capacity) for a court proceeding, will be excused with pay. The staff member must provide the Cooperative administration with a copy of the subpoena prior to the court appearance. Any per diem received for jury duty will be reported to the Business Office and offset from the staff member's check for that period. No charges will be made against accrued leave.

In situations where a staff member is required to appear for a court proceeding in a personal matter, the staff member will be required to take a scheduled absence, annual leave, personal leave or leave without pay.

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