

Harlingen CISD

Employee Leave Regulations



As of 05/24/2021

Introduction

The purpose of this regulation guide is to provide information that will assist staff on utilizing District leave. The policies referenced in this guide are summarized. For actual policy please refer to District policy located at www.hcisid.org. This guide is not a contract nor a substitute for the official District policy. **Information in this guide is subject to change.**

Helpful Contacts

Employees are encouraged to speak with their supervisor regarding any questions or concerns. However, employees may contact Human Services or the Employee Benefits Offices about leave benefits.

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Local Leave Proration

If an employee separates from employment with the District before his or her last duty day of the school year or begins employment after the first duty day of the school year, local leave shall be prorated based on the actual time employed.

If an employee separates from employment before the last duty day of the school year, the employee's final paycheck shall be reduced for local leave the employee used beyond his or her pro rata entitlement for the school year.

Recording

Local and State Leave shall be recorded in half-day and whole day increments, even if a substitute is not employed.

For eligible biweekly hourly employees, Local and State leave shall be recorded in hourly increments.

If the employee is taking intermittent FMLA leave, FMLA leave can be recorded in one-hour increments.

Order of Use

Earned compensatory time shall be used before any available paid state and local leave (See DEAB)

Unless the employee requests a different order, available paid state and local leave shall be used in the following order, as applicable:

1. Local leave, including local incentive leave for eligible teachers.
2. State sick leave accumulated before 1995-96 school year.
3. State personal leave

Concurrent Use of Leave

When an absent employee is eligible for FMLA leave, the District shall designate the absences as FMLA leave. The District shall require the employee to use temporary disability leave and paid leave, including any compensatory time, concurrently with FMLA leave.

State Personal Leave (Discretionary use limits Request for leave)

The employee shall submit a written request for discretionary use of state personal leave to the immediate supervisor or designee ten days in advance in accordance with administrative regulations. In deciding whether to approve or deny state personal leave, the supervisor or designee shall not seek or consider the reasons for which an employee requests to use leave. The supervisor or designee shall, however, consider the effect of the employee's absence on the education program or District operations, as well as the availability of substitutes.

Discretionary leave shall not be allowed on the day before a school holiday, the day after a school holiday, or days scheduled for state-mandated assessments.

Employees may be docked their normal rate of pay if state discretionary leave taken without prior authorization.

Local Leave

Local leave may also be used for the first-year care following the birth or adoption of an employee's son or daughter or the placement of a child with the employee for foster care.

Use of Leave for Bereavement Purposes

Use of local and/or state leave for a death in the immediate family shall not exceed five leave days per occurrence, subject to the approval of the District.

Sick Leave Bank

The Purpose of the sick leave bank ("the bank") is to provide additional paid sick leave to employees who are members of the bank. A member shall be granted such leave only in the event of a catastrophic illness or injury that results in the member's inability to perform basic job functions.

Membership: All full-time employees of the District may join the bank by contributing three days of available local leave.

Administration: The bank shall be administered by a nine-member sick leave committee (the committee). The committee shall be composed of the following:

1. Four teachers;
2. One representative from among the secretarial, clerical, or paraprofessional personnel;

3. Two representatives from operation personnel;
4. One representative from non-instructional professional personnel; and
5. One representative from the administration.

The Board shall review sick leave implementation on an annual basis and approve the continuation of the sick leave bank. Following the annual sick leave bank enrollment period from August 1 to September 30 of each year, an election shall be held on the third Monday of October according to the guidelines found in the sick leave bank handbook approved by the Board.

The members of the committee shall be elected from among the members of the bank by the members of the bank.

The committee shall meet only as the need arises. The committee shall be responsible for the following:

1. Receiving requests for use of the bank;
2. Verifying the validity of requests;
3. Recommending approval or denial of requests; and
4. Communication of the committee decision to the applicant and executive office defined in the sick leave handbook.

An approved applicant shall be compensated at the employee's regular rate of pay. Individual members shall not be compensated in excess of 60 working days annually with a calendar year that runs from September 1 to August 31. Members shall not be compensated if the bank has been depleted.

Request for use: A member may request leave from the bank only when his or her accumulated state leave, local leave, vacation days, extended sick leave, or any other accumulated leave has been exhausted. To qualify for leave from the bank, the member making the request shall provide all the information required by the sick leave bank handbook approved by the Board. All information provided to the committee shall be kept confidential. The bank shall be administered according to the guidelines found in the sick leave bank handbook approved by the Board.

Appeal: All decisions regarding the bank may be appealed in accordance with DGBA (Local).

Fitness-for-Duty Certification

If an employee takes FMLA and or Temporary Disability Leave due to the employee's own serious health condition, the employee shall provide, before resuming work, a fitness-for-duty certification. If the District will require certification of the employee's ability to perform

essential job functions, the District shall provide a list of essential job functions to the employee with FMLA/Temporary Disability designation notice.

An employee is required to provide a fitness to return to duty before resuming work even if the employee is not eligible for Family Medical Leave or Temporary Disability Leave. If the fitness to return to duty lists any modified duties, campus administration/department administration will assess the modified duties listed and determine if the modifications can or cannot be accommodated.

Temporary Disability Leave

An employee's notification of need for extended absence due to the employee's own medical condition shall be forwarded to the Superintendent or designee as a request for temporary disability leave.

Workers' Compensation

An employee eligible for workers' compensation income benefits, and not on assault leave, may elect in writing to use paid leave.

Earning leave

Each full-time employee shall earn paid local leave at the rate of one-half equivalent workday for each 18 workdays of employment, concurrently with state leave, up to the maximum per year of five equivalent workdays for local leave and five equivalent workdays for state leave.

Leave Balances

Any earned and unused local leave is forfeited once you separate from employment and the forfeited local leave will not be available for use if you return to the District.

Any local leave paid to the employee under the "payment for accumulated leave upon retirement" will not be available for use if you return to the District.

Any earned and unused state leave accumulated prior to separation of employment will appear on your service record.

Payment for Accumulated Local Leave Upon Retirement

Payment for Accumulated Leave Upon Retirement shall only be paid one time to the employee.