

**McCormick County School District
EMPLOYEE LEAVES AND ABSENCES**

Per board policy GCC/GDC, an employee must request a leave of absence if anticipated absence will be more than three (3) days. This form should be completed by the employee and give to the principal/supervisor for disposition. Upon signatures of the principal/supervisor, this form should be hand-delivered, emailed or faxed immediately to the attention of Wanda Anderson (andersonw@mccormick.k12.sc.us) or faxed (864) 852-2883) for processing. Support documentation is required for any type of leave of absence.

Employee's name: _____

School: _____

Date(s) requested: _____

Signature (employee) _____ Date _____

Principal/Immediate supervisor's signature

Date

Please give explanation for making request.

Signature (Doctor)

Date

Director of Human Resources' signature

Date

Superintendent's signature

Date

** Leave with or without pay will not exceed 91 calendar days in any school year and is not to extend beyond the immediate school year.

Submit one copy of request to the office of Human Resources -- a copy will be returned to the principal or immediate supervisor with approval or disapproval noted.

Policy

STAFF LEAVES AND ABSENCES

Code GCC/GDC Issued 07/17

Purpose: To establish the basic structure for all types of professional and support staff leaves and absences.

The continuous presence of employees promotes excellence in the instructional program by ensuring the following.

- uninterrupted continuity of education
- greater teacher-student contact time
- appropriate role-model emulation
- consistent classroom discipline
- reduced cost

Therefore, the board expects employees to come to work every day. The board recognizes, however, that certain absences are unavoidable. At such times, employees should take leave in accordance with this policy and its accompanying administrative rule. Absent employees must comply with procedures set out in the administrative rule that accompanies this policy.

Leave

Full-time employees

Employees of McCormick County School District will accrue leave at the rate of one and one-fourth days per month for the first nine months of a work period. A three-fourths day bonus will be added at the completion of the nine-month work period, bringing the total to 12 days for the nine-month period. For each month worked thereafter, one and one-fourth days per month will accrue. For example,

- 180 - 190 days = 12 days
- 191 - 200 days = 13 days
- 201 - 210 days = 14 days
- 211 - 220 days = 15 days
- 221 or more days = 16 days

Employees with less than one year of service who experience a hardship may request an advancement of leave up to the number of days of leave they would accrue in one year. This

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advancement would be for emergency purposes, such as,

- pregnancy
- catastrophic illness of the employee or the employee's child, parent or other dependent (must be verified by a physician).
- another illness, sickness or accident as determined by the director of human resources in consultation with the superintendent of schools.

Leave is available for employees to use for circumstances requiring them to be away from work (e.g. personal/family illness, death in family or family tragedy, personal business, etc.). Leave not used annually may be accumulated to a maximum of 90 leave days. An employee using leave as provided for in this policy will not be terminated from employment nor will any such employee be terminated during a continuing period of personal illness of less than 91 days.

This policy also includes the following provisions.

- During the first five days of student attendance of the school term, the last five days of student attendance of the school term and on designated in-service education days, an employee may take leave only for personal illness or death in the family. In case of other verifiable dire emergencies, the superintendent or his/her designee may grant leave during the above periods. The employee must secure written permission from his/her principal prior to requesting an exception from the above leave policy from the superintendent or his/her designee. (GCC/GDC-E(2) Employee Leaves and Absences Request Form should be used to request approval.)
- An employee who desires to use leave, other than for personal illness or death in the family, the day before or the day following Thanksgiving, the winter break and the spring holidays, must secure the prior written consent of his/her principal and the superintendent or his/her designee. (GCC/GDC-E(2) Employee Leaves and Absences Request Form should be used to request approval.)
- Employees employed for less than 220 days or 12 months in a school year may not use more than three consecutive or five cumulative leave days in a school year except for personal illness, immediate family illness or death in the immediate family. Specifically, employees may use up to three days leave for the death of a spouse, child, sibling, parent, or grandparent. In case of other verifiable dire circumstances, the superintendent or his/her designee may grant leave in addition to these amounts. The employee must secure written permission from his/her principal/ supervisor prior to request an exception to this provision from the superintendent or his/her designee. (GCC/GDC-E(2) Employee Leaves and Absences Request Form should be used to request approval.) Employees employed for:
 - One-half day is the smallest denomination of leave time which can be recorded against an employee. For "unplanned" extreme situations (child is ill, personal illness, etc.), employees may be excused from work for a part of a day, based on approval from their supervisor or his/her designee.
 - Special payments for unused leave may be awarded for full-time employees who have

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accumulated more than 90 days of accrued leave at the end of the school year at the minimum rate of \$10 for each day of accrued leave, in excess of 90 days.

- Upon a written request of an employee, any accumulated leave up to a maximum of 90 days will be transferred to any school district or state agency in the state as required by Section 59-1-400, Code of Laws of South Carolina, 1976.
- Employees hired in McCormick County School District will be credited leave days based on their previous leave entitlements as stated in this policy.
- Deductions of leave days will be made in the pay period in which they occur or the pay period following the absence.

Part-time employees

For purposes of this policy, part-time employees will mean any individuals employed in the district who work a minimum of 15 hours per week for a school year for that position.

Part-time employees who meet the above requirement may earn leave (length of one day's work time for that individual) in a pro-rated amount based on the days worked.

Adjustments in pay

All absences in excess of an employee's authorized entitlements will be considered as days of leave without pay.

Pay adjustments for absenteeism in excess of leave entitlements will be made in the pay period in which they occur or the pay period following the absence. Such adjustments will be taken from the per day salary of the employee (anticipated annual earnings divided by contract days).

Procedures regarding absences

An absent employee must furnish a signed statement setting forth the specific reason(s) for his/her absence. The statement must be turned in to the employee's supervisor within two days after the employee returns to work. (GCC/GDC-E(3) Employee Leave Absence Report)

An employee will notify his/her immediate supervisor or his/her designee as early as practicable when it is necessary for him/her to be absent. When an employee knows that he/she will be absent for a period longer than five days, he/she should complete and file a request for leave of absence. (GCC/GDC-E(2) Employee Leaves and Absences Request Form)

An employee who anticipates taking an extended leave of absence should submit the request for leave to his/her supervisor at least 30 calendar days prior to the effective date of the leave. The leave request must include a statement from a licensed medical doctor stating the anticipated length of convalescence or period required for medical treatment.

Any employee returning from an extended leave of absence must present a statement from the attending physician certifying the employee's ability to return to a normal work schedule.

When the employee makes a request in writing, the superintendent or his/her designee may grant an employee leave without pay for personal illness following the exhaustion of all leave. If an employee has less than 91 days of accumulated leave, leave with and without pay will not exceed 91 work days in any school year without special authorization from the superintendent or his/her designee and is not to extend beyond the immediate school year.

Verification and use of leave

The use of sick leave is subject to verification. Specifically, an employee must submit a physician's statement verifying an illness when the employee has been on sick leave for more than 10 working days within a school year, after an absence of three consecutive days or if the employee is requesting extended leave. The district also reserves the right to require an employee to submit a medical physician's statement verifying an illness when the administration believes verification is needed or when an employee's use of sick leave forms a pattern or abuse is suspected.

A doctor's statement that the illness of an immediate family member requires the presence of the employee must be submitted for absences greater than three days.

If the employee does not provide the required physician's statement within five working days upon written request, the district may take appropriate disciplinary actions, up to and including a recommendation of termination from employment.

The district may require the opinion of a second physician designated and paid for by the board regarding verification of any illness or disability.

The district may require an employee to provide a physician's statement attesting to his/her ability to perform required duties before returning to work.

In order that the district may secure an adequate replacement and make other appropriate arrangements, an employee who anticipates using leave for 10 consecutive school days or more must notify the principal in writing regarding his/her anticipated dates of absence as soon as possible.

Ordinarily, employees will be expected to return to work the first school day after the recuperative period is completed.

Unless the length of the absence has been definitely determined through prior communications, an employee who is absent is required to notify the principal or his/her designee in the afternoon of each day of absence and report whether or not the absence will be continued the following day. This report on each day of the absence is essential for scheduling a substitute.

Organ donor leave

Employees may take a leave of absence to be an organ donor without loss of pay, time or leave

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for one or more periods, not exceeding a total of 30 workdays in a fiscal year. Saturdays, Sundays and state holidays may not be included in this 30-day period unless the Saturday, Sunday or holiday is a regularly scheduled workday for the employee.

An employee seeking leave to be an organ donor must forward a written request, including the appropriate documentation from the attending physician verifying that the employee is the donor, to the superintendent or his/her designee no later than 30 days prior to the commencement of leave, or as soon as practicable based on the specific circumstances.

Termination

The district may terminate the employment of any employee who fails to comply with the requirements of this policy and accompanying administrative rule, who fails to request extended leave in accordance with this policy and accompanying administrative rule, who fails to report to work at the expiration of authorized leave or who fails to obtain an extension of previously approved leave. An employee is also subject to termination from employment with the district for misstatements of fact and/or misrepresentations of purpose for which leave of absence is desired or on the basis of which annual leave is obtained.

The district will not terminate from employment those employees under this policy who have accrued annual leave and who are using it in compliance with this policy. The district will not terminate from employment any employee during a continuing sick leave of less than 91 work days, provided none of the aforementioned grounds for termination are present.

Family and Medical Leave Act (FMLA)

The board will provide unpaid leave to eligible employees consistent with the Family and Medical Leave Act of 1993 (FMLA), and its implementing regulations, as amended. Such leave may be taken consistent with administrative rule GCC/GDC-R.

Sabbaticals

The district does not grant sabbatical leave.

Adopted 11/23/77; Revised 2/9/78, 6/30/80, 1/20/81, 7/30/84, 7/12/88, 6/26/95, 1/25/99, 12/13/04, 6/9/08, 8/11/08, 4/13/09, 6/10/13, 07/01/17

Legal references:

- A. United States Code:
 - 1. P.L.103-3 and 29 CFR Part 825 - The Family and Medical Leave Act of 1993.
- B. S.C. Code, 1976, as amended:
 - 1. Section 8-11-40 - Sick leave.
 - 2. Section 8-11-65 - Organ donor leave.
 - 3. Section 8-11-110 - Alcoholism.
 - 4. Section 8-11-155 - Use of sick leave to care for adopted child.

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5. Section 8-11-610 - Manner in which leave will be computed and annual leave for instructional personnel at the school.
6. Section 9-1-2210 - Teacher And Employee Retention Incentive Program.
7. Section 59-1-400 - Sick leave for public school district employees.