

SECTION C.
LEAVE POLICIES

JURY DUTY

Employees who serve on jury duty will not be penalized in any way for doing so. They will receive full pay, if they endorse the check received from the court or pay the amount shown on the court record slip less any travel allowance paid by the court. The time spent on jury duty will not be charged against personal leave and will count as time on the job.

SICK, PERSONAL, AND VACATION LEAVE

It is the responsibility of each employee to report to and submit appropriate leave forms to their immediate supervisor in accordance with Governing Board policies and State Law. Forms may be obtained in the Forms Section of this handbook, from department secretaries, or from the central office supply, or on-line. Please copy as needed. You will only receive a copy back if disapproved. Please use current forms.

Sick, personal, and vacation leave requests are deducted in increments of $\frac{1}{4}$ day, $\frac{1}{2}$ day, $\frac{3}{4}$ day or 1 whole day. The appropriate forms must be completed by the employee, approved by the employee's appropriate supervisor, and forwarded to the Superintendent for final approval. The approval is pending the Treasurer's certification that the employee has available accrued leave.

1. Sick leave for doctor or dentist appointments should be taken in increments of $\frac{1}{4}$ day, $\frac{1}{2}$ day, $\frac{3}{4}$ day or 1 full day. Each absence must be itemized on the sick leave form and turned in as each absence occurs. Do not hold the form. Notification must still be given all supervisors in advance of absence. If the leave is not taken after approval is obtained, please notify the Payroll Officer in the Treasurer's Office and the leave will not be deducted.

2. It is the employee's responsibility to monitor their leave usage and the balances. Due to payroll software restrictions, all days used will be posted concurrent with each payroll's period dates. If for some reason a leave form with a date used before the current payroll period dates is received, it will be posted on the next payroll. A payroll schedule, with all pay dates and their respective period dates, is in Section B, page 33 of this Handbook.

Leave days earned will be added to the employee's balance after the last payroll of the month and one month in arrears. For example, the leave earned for September will appear on the first payroll direct deposit notification of October. This will allow for a more current posting of days used.

SICK LEAVE*

The Governing Board recognizes its statutory duty to pay employees of this ESC in full for days on which they are absent from work for reasons of personal disability or pregnancy, and illness, injury or death in the employee's immediate family.

All employees of the ESC eligible for sick leave shall receive fifteen (15) such sick leave days annually at the rate of one and one-quarter a month. Unused sick leave shall be cumulative up to 260 days. Regular part-time employees shall be entitled to sick leave in proportion to the time actually worked.

The Governing Board shall accept by transfer the accumulated sick leave up to 260 days which any new employee has acquired in another position of public service in Ohio.

A. USE OF SICK LEAVE - Sick leave may be used for the following purposes and must have the approval of the Superintendent:

1. For absence of the employee due to personal illness, injury, pregnancy, or exposure to a contagious disease which could be communicated to other employees or to students.
2. For absence of the employee due to illness or injury of someone in the employee's immediate family. In this section the employee's immediate family is defined to mean a member of the immediate family of the employee residing in the home of said employee and shall also include the employee's parents, brother, sister, son or daughter, father-in-law and/or mother-in-law, and spouse if not residing with the employee.

The exact number of days granted under this section shall be determined by the circumstances.

3. For absence due to death in the immediate family of an employee. In this section the immediate family of an employee is defined to mean the father, mother, brother, sister, son, daughter, husband, wife, grandmother, grandfather, father-in-law, mother-in-law, brother-in-law, or sister-in-law, and any other relative of the employee as approved by the Superintendent.

The exact number of days granted shall be determined by the family relationship and the circumstances surrounding the death.

- B. VERIFICATION OF SICK LEAVE - An employee requesting use of sick leave shall furnish a written signed statement to justify the use of sick leave. The filing, by an employee, of any willfully false statement concerning the cause or duration of an absence shall be considered by the Educational Service Center Governing Board as grounds for suspension or dismissal.
- C. ELIGIBILITY FOR SICK LEAVE - A sick leave of absence shall commence when the employee or agent, if the employee is sufficiently disabled, reports the absence. Whatever the claims of disability, no day of absence shall be considered to be a sick leave day on which the employee has engaged in or prepared for other gainful employment, has participated in a concerted work stoppage, or has engaged in any activity which would raise doubts regarding the validity of the sick leave request.
- D. RECORDS OF SICK LEAVE - The personnel records of this ESC shall show the attendance of each employee, and such days as that employee may be absent shall be recorded with the reason for such absence noted. A record shall be made of the unused sick leave days accumulated by each employee.
- E. RETIREMENT COMPENSATION - Upon retirement an employee may be compensated a portion of the unused sick leave in accordance with Governing Board policy on severance pay.

PERSONAL LEAVE*

The Governing Board shall, pursuant to the provisions of this policy, provide for an employee's absence for personal necessity.

The Governing Board reserves the right to specify within the limits of law, the manner of proof of personal necessity, the type of situations in which such leave will be permitted and the total number of days which may be used in any school year for personal leave.

Up to three (3) full days of personal leave with pay may be used, if approved by the Superintendent, each contract year by full-time employees. Personal leave is not cumulative.

Personal leave days may be used for personal obligations that are necessary and compelling which involve family events, community events, business transactions or legal transactions, subject to the following conditions:

Request shall be in writing on a prescribed form.

Request shall be presented to the Superintendent at least twenty-four (24) hours in advance, except in the event of an emergency.

Day(s) shall not be used preceding or following student or legal holidays.

Days(s) shall not be used in an unprofessional manner so as to project a poor image of the employee to the schools or communities.

Day(s) shall not be used when a regularly scheduled school meeting or previously announced meeting has been called.

Day(s) shall not be used for vacation, recreation or personal pleasure.

Must be for activities that can be conducted on a school day only. If the activity can be arranged on a weekend or evening, it is not eligible for personal leave.

Number of persons granted personal leave for any one (1) day will be limited to the demands of the Educational Service Center Office as determined by the Superintendent.

Scheduled daily assignments shall be adjusted by the employee and confirmed by the Superintendent in advance of the day requested.

*Reference: Board Policy 3436; 4436

VACATION

CERTIFICATED STAFF*

The Governing Board believes that it is beneficial to the ESC that personnel be given periodic relief from the responsibilities of their job without loss of compensation.

The Governing Board reserves the right to specify the conditions under which vacation time may be taken.

A. ELIGIBILITY

Full time employment for 12 months - 20 working days

B. APPLICATION

Eligible employees must apply for vacation to the Superintendent at least two days in advance of the desired start date. Special consideration shall be given to emergencies.

C. TIME OF VACATION

Vacations should be taken within one (1) year of the time earned, except that all or part of earned vacation may be carried over to the next year. No more than 38 days shall be allowed to accumulate. Vacations will be granted only at times of the year when they will not interfere with the normal operation of the school.

D. TERMINATION OF EMPLOYMENT

An employee who anticipates termination in the ESC may take accrued vacation prior to the termination date with proper approval as noted above. Accrued vacation may be paid to the estate of a deceased employee.

* Reference: Board Policy 3433

VACATION

CLASSIFIED STAFF*

The Governing Board believes that it is beneficial to the ESC that personnel be given periodic relief from the responsibilities of their job without loss of compensation.

The Governing Board reserves the right to specify the conditions under which vacation time may be taken.

A. ELIGIBILITY

1. Full time employment for twelve (12) months - fifteen (15) working days
2. Full time employment for eleven (11) months - ten (10) working days
3. Employees with twenty (20) or more years of service in the ESC as of July 1st, shall be entitled to an annual vacation, exclusive of legal holidays, of twenty (20) working days for twelve (12) month employees and fifteen (15) working days for eleven (11) month employees.

B. APPLICATION

Eligible employees must apply for vacation to the Superintendent at least two days in advance of the desired start date. Special consideration shall be given to emergencies.

C. TIME OF VACATION

Vacations should be taken within one (1) year of the time earned, except that all or part of earned vacation may be carried over to the next year. No more than 30 days shall be allowed to accumulate.

D. TERMINATION OF EMPLOYMENT

An employee who anticipates termination from the ESC may take accrued vacation prior to the termination date with proper approval as noted above. Unused vacation will be paid in full to the estate of a deceased employee or a retiring employee. Unused vacation, upon separation from employment, will be paid at the employee's current rate of pay but not to exceed the unused amount accrued in the year prior, plus the prorated portion earned but unused for the current year.

*Reference: Board Policy 4433

CALAMITY LEAVE

The ESC is generally open during district(s) calamity days. Therefore all staff members are to report to work as follows:

ESC Office Staff

If the decision is made to close the office, staff working out of the ESC office will be notified by communication chain and on local radio stations (Wooster 104.5 FM or Ashland 101.3 FM). On bad weather days (days with area school closings), staff should come to work as soon as the roads are passable (normally by 9:00 a.m.). Staff may also use vacation or personal leave days.

District-Assigned Staff

- Administrative staff, coordinators and classified personnel shall report to one of their district offices (with their director's approval). Staff may also use vacation or personal leave days.
- Teaching staff, psychologists and speech therapists should follow the schedule of the district assigned during that day.
- No staff members will be granted more than the number of calamity days currently allowed in Ohio law. Calamity days that exceed this number will need to be made up.

HOLIDAYS*

The Governing Board observes those days declared by statute to be holidays and any such other days enumerated in this policy. Those statutory holidays are:

New Year's Day
Martin Luther King Day
Memorial Day
Labor Day
Thanksgiving Day
Christmas Day
Independence Day (if 12-month employee)

In addition to those holidays prescribed by statute, the Governing Board authorizes for eleven and twelve month contracts payment of the following holidays for all employees who are under employment contract to this ESC on the date of said holiday: the Friday following Thanksgiving, President's Day, and any days that the office is closed by the Superintendent.

All classified staff employees shall be paid in full for applicable approved holidays if such employees have accrued earnings on their next preceding and next following scheduled work days before and after a holiday or were properly excused from attendance at work on either or both of those days.

*Reference: Board Policy 4434

FAMILY MEDICAL LEAVE*

In accordance with Federal Law, the Governing Board shall provide Family Medical Leaves of up to twelve work weeks of unpaid leave to all qualifying employees. To qualify, an employee must have worked for Tri-County ESC for at least one year, and for 1,250 hours over the immediate previous 12 months. The twelve (12) month period is defined as the twelve (12) month period measured forward from the date the staff member's first FMLA leave begins (i.e. the "leave year" is specific to each individual staff member). The Board shall require the staff member to substitute any of his/her eligible sick leave, paid vacation, personal leave for unpaid FMLA leave. Consult Governing Board Policy 3430.01 / 4430.01 for the regulations of the Family Medical Leave Act (FMLA).

*Reference: Board Policy 3430.01; 4430.01

ADOPTION LEAVE

Although the Board does not provide adoption leave, the Board does recognize the importance of a mother of a newly adopted infant to be with that infant. The Board also recognizes and would support a medical doctor's recommendation that the mother of a newly adopted infant (birth to 2 years) be present in the home to facilitate the well being of the mother and child. Therefore, an employee presenting a medical excuse for a sick leave to care for a newly adopted infant would be eligible for 6 weeks of paid sick leave if such leave was accumulated by the employee. If sick leave were not available, family medical leave may also be utilized when appropriate.