

PERSONNEL:      Classified

Absences

1.      Academic Purposes

The employee is required to submit one (1) week prior notification to the appropriate administrator, in writing, explaining the reason for the absence. This explanation will be coded on the payroll report.

2.      Personal Illness

- a.      Sick leave is a benefit provided to employees to protect against the loss of income in the event of illness or non-work related injury.

The appropriate use of sick leave is essential to meeting or exceeding the established employee attendance standard (EAS) approved by the Superintendent. Regular attendance at work has a profound and positive affect on student achievement, on the maintenance of a safe and orderly learning environment and on the effective and efficient operation of the school system. The Employee Attendance Monitoring Program supports the employee attendance standard and provides standards and procedures for the monitoring of absences which are reported as being due to personal or family illness.

- b.      Using procedures in the Employee Attendance Monitoring Program

The appropriate administrator will review the employee's use of sick leave. The appropriate administrator will discuss the review with the employee and shall provide the employee with a written notice of the review. Under the standards in the Employee Attendance Monitoring Program, if the absences continue, the appropriate administrator will require the employee to submit written certification by a physician confirming the necessity for absences due to illness. The Superintendent or the Superintendent's designee may also require the employee to have an independent medical examination with a Board-designated physician. If undocumented or excessive absences continue, appropriate disciplinary action, up to and including termination, will be taken.

- c. When an employee whose absence is due to injury or illness and the absence is for ten (10) consecutive days or more, the absence will be reported on the appropriate form to the Integrated Disability Management Program. The absence will be reported by the site-based liaison or the employee's supervisor.
- d. The employee is required to submit, to the Integrated Disability Management Program, a disability slip or letter from an appropriate healthcare provider documenting the reason for absence. The documentation must include the diagnosis, an expected length of absence, and a return to work date. The Board of Education reserves the right to designate the use of paid sick leave that meets the requirements of the Family Medical Leave Act (FMLA) as FMLA Leave and will be applied to the 12 weeks of FMA leave for eligible employees during a one-year period.
- e. Failure to submit the required documentation may result in the discontinuation of sick leave benefits. Benefits may be reinstated once the documentation is received and reviewed by the Integrated Disability Management Program.
- f. When appropriate documentation is received it may be determined by the Risk Manager that additional contact or referral to Medical Case Management is necessary. The Integrated Disability Management Program will obtain consent for the release of additional medical information and may require appropriate medical evaluations to be conducted by a Board-approved healthcare provider. All medical information will be maintained in accordance with applicable federal, state, or local laws and regulations.
- g. A medical release to return to work is required from an appropriate healthcare provider before an employee may return to work. This release form needs to be sent to the Integrated Disability Management Program.
- h. A "Transitional Duty" program which meets the employee's documented medical restrictions is offered to employees whenever possible. An appropriate healthcare provider must document all medical restrictions. Transitional duty is a temporary assignment for less than three months except in the case when medical case management has recommended that transitional duty be continued. Transitional duty is not available to

employees who have reached maximum medical improvement or for whom reasonable assurance has been received from an appropriate healthcare provider that the employee will not be able to return to his/her current position. Transitional duty will be coordinated and monitored by the Integrated Disability Management Program in cooperation with site-based administration.

- i. An employee may not use sick leave to postpone a disability retirement consistent with the requirements of sick leave bank outlined in the Master Agreements. Sick leave benefits will terminate if conditions are met for approval of disability retirement, and a physician has given reasonable assurance that the employee will not be able to return to his/her current position.
- j. An employee who has received approval for a medical retirement from the Maryland State Retirement and Pension System, or been approved for disability benefits by the Social Security Administration or other disability plan, will have sick leave benefits terminated consistent with the following sick leave bank procedures:
  - If the decision of the Medical Review Board is received by the BCPS Retirement Coordinator from the 1st through the 20th of the month, sick leave will terminate on the last day of that month.
  - If the decision of the Medical Review Board is received by the BCPS Retirement Coordinator from the 21st through the last day of the month, sick leave will terminate on the last day of the following month.

An employee who has received approval for medical retirement from the County Retirement System will have sick leave benefits terminated consistent with the determined effective date.

Procedures to separate the employee from the Board of Education will be carried out by the Department of Human Resources and will be initiated on the date benefits are terminated.

- k. Employees who are in the Integrated Disability Management Program or who are using sick leave bank at the end of the school year will be sent a letter concerning their intention to return for the upcoming school year. Integrated Disability Management personnel will send the letter.

- l. The procedures for the management of sick leave usage carried out by the Integrated Disability Management program will be incorporated into training programs for administrative, supervisory, and other appropriate personnel.
- m. Consistent with sick leave bank procedures, in no case will the granting of sick leave benefits cause an employee to receive more than his or her annual salary.
- n. When an employee is granted a leave of absence requiring Board action, the accumulated sick leave days are held in abeyance until he/she returns to duty. Upon return to duty, the employee will be granted sick leave days according to the policies in effect but will not lose his/her earned length of service for accumulation purposes. The Board of Education reserves the right to designate paid and unpaid leaves which meet the requirements of the Family Medical Leave Act (FMLA) as FMLA leave and will be applied to the 12 weeks of FMLA leave for eligible employees within a one-year period. The designation of FMLA leave will be the responsibility of the Department of Human Resources.
- o. In the event that an employee does not have accrued sick leave, application shall be made to the Department of Human Resources for an appropriate leave of absence. An employee who has exhausted ten consecutive days beyond accrued paid leave time is considered to have no employment status unless he/she has applied for appropriate leave and has been granted such leave. (Refer to Rule 4152 Professional)

Refer to appropriate Master Agreement for information on cumulative sick leave and on procedures for notification of absences. Employees must adhere to the procedures on notification that apply to their respective unit.

### 3. Family Illness

An employee is required to submit, to the appropriate administrator, the appropriate form or letter, stating the exact relationship of the ill relative, the nature of the illness, and the necessity for assisting the ill member of the family. If it is known that the employee will be absent for ten (10) or more days, the employee will be directed to complete an application for leave under the Family Medical Leave Act of 1993 (FMLA) and submit it to the Department of Human Resources. Family illness leave is a subset of an employee's sick leave and will

be reviewed as part of the Employee Attendance Monitoring Program if the use of family illness is not designated and applied to FMLA.

4. Bereavement

An employee is required, to submit to the appropriate administrator, a letter stating the relationship, the date of death, the date of the funeral, and the dates of absence. This explanation will be forwarded with the payroll report.

5. Legal Commitments and Transactions

An employee is required to submit, to the appropriate administrator, a letter explaining the reason for the summons of the court. This explanation will be forwarded with the payroll report.

6. Religious Observance

An employee is required to submit one (1) week in advance, to the appropriate administrator, a letter stating his/her intent to be absent on a duty day to observe a religious holiday. This explanation will be forwarded with the payroll report.

7. Urgent Personal Business

When any one day of this leave is used during any year, an employee may use the day by submitting twenty-four (24) hours in advance to the appropriate administrator a letter or card stating the reason or indicating the request is for "urgent personal business." The appropriate administrator may make exception to the twenty-four (24) hour requirement in case of a demonstrated need. The use of the reason "urgent personal business" leave may, at the employee's discretion, occur on the first, second or third occasion of the use of personal business leave. To qualify for the use of the other two (2) days of such leave, the employee must state the reason for such leave in advance to the appropriate administrator.

Each supervisory/technical (Unit III) employee shall be entitled to up to three (3) days per year for urgent personal business leave. A written request for the intended absence shall be submitted to the principal (or other appropriate administrator) at least twenty-four (24) hours prior to the expected absence. No specific reason for such leave shall be required or solicited for the first two (2) days. Urgent personal business leave, if granted, must be used only to conduct personal business of any nature that cannot be scheduled on any non-duty day. The approval of the appropriate administrator/office head shall be required for the third day. Urgent

[RULE 4270

personal business leave may not be used on consecutive duty days except with permission of the principal or other appropriate administrator.

Also see Master Agreement between Council 67/Local 434 of AFSCME, AFL-CIO and the Board of Education and Master Agreement between BACE/TABCO and the Board of Education.

Rule

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Superintendent of Schools