

SICK AND OTHER LEAVE POLICY

At the beginning of the employment year, all non-certificated employees of MHSD 193 who regularly work twenty (20) hours or more per week shall be entitled to sick leave with full pay of one (1) day for each month of service in which they work a majority portion of that month, as projected for the employment year.

DEFINITIONS:

“Employment Year” is defined by the language in the certificated employee’s contract, and the job code indicator of non-certified employees.

“Month of Service” is the individual employee’s monthly work schedule for which they are hired to work.

“Substitute and Temporary Employee” is defined as an employee who works on an as-needed basis and who is not given a regular work schedule.

CERTIFICATED PROFESSIONAL TEACHER SICK LEAVE

Each Certificated Teacher of the District shall be entitled to Sick Leave with full pay of one (1) day for each year for each month of service or major portion thereof. Any unused Sick Leave shall be accumulated from year-to-year.

A Certificated Teacher shall be allowed to use Sick Leave when such absence is due to illness or death in the individual’s immediate family within the home, son, daughter, or spouse. Sick Leave may also be used for the serious illness or death of the individual’s family; father, mother, brother, sister, or foster/step parent.

For absences due to other causes as well as absences beyond the period of accumulated Sick Leave, approved Sick Leave Bank, or other accrued paid leave, the Certificated Teacher shall forfeit a corresponding sum equal to the Certificated Employee’s current contractual daily rate of pay of his/her annual salary for each such day of absence.

1. The District may require proof of illness adequate to protect the District against malingering and false claims of illness.
2. The District shall not provide compensation for unused sick leave.
3. The Certificated Professional Teacher is entitled to the maximum allowance of sick leave, per year, commencing on the first day of employment.
4. Should a Certificated Professional Teacher cease to work for the District prior to the completion of the Contract Year, and the maximum allotted sick leave has been used, the

Certificated Professional Employee shall forfeit a day's salary for each Sick Day taken in excess of the entitlement as per Section 33-1216, Idaho Code.

5. A certificated Professional Teacher's unused Sick Leave shall be accumulated from year-to-year, so long as the individual remains continually in the service/employment of the District. Such accumulated Sick Leave shall be available to the employee, to the extent permitted by law, in transferring to another public school district, or to the extent permitted by law, for post-retirement insurance premium costs.
6. Repeated use of Sick Leave may not be used at the end of the last year of employment unless a physician's medical excuse is provided to the District.

CALCULATION OF SICK LEAVE

Sick leave for non-certificated employees will be calculated pursuant to the employee's "month of service," as projected at the beginning of the employment year. If it is projected that the employee will work a majority portion of the hours for which (s)he is normally scheduled during any given month, (s)he will be entitled to sick leave for that month. Sick leave benefits will not be credited for those months in which the employee is not projected to work a majority portion of his/her month of service.

NON-CERTIFICATED, FULL-TIME EMPLOYEES: Non-certificated, full-time employees who are scheduled to work 40-hours per week, 12-months per year, will be credited sick leave at the rate of one (1) eight-hour day per month of service. Non-certificated, 12-monthly employees who work less than full-time, but more than 20-hours per week, will be credited sick leave at a rate calculated proportionate to the average hours worked per day.

NON-CERTIFICATED, SCHOOL-YEAR EMPLOYEE: Non-certificated employees who work less than full-time, but more than 20-hours per week, will be credited sick leave at a rate calculated proportionate to the average hours worked per school day for the months of September through June.

NOTICE OF CREDITED SICK LEAVE

Each employee's credited sick leave balance is available on Skyward.

MEDICAL DOCUMENTATION

To protect the district against malingering and false claim of illness, an employee may be required to provide proof of illness, at the discretion of the superintendent or designee. The superintendent or designee may require proof of the employee's ability to return to work following an illness.

ACCUMULATION OF SICK LEAVE

Unused sick leave will be accumulated from year-to-year, or as otherwise provided in the negotiated agreement, as long as an employee remains continually in the service of this district.

The Board of Trustees may establish a policy governing leave for certificated and non-certificated employees in the case of illness or death of members of the families of such employees, for professional conferences and workshops, and for such other purposes as the Board may determine.

Once the employee has used all of his/her leave, a day's salary will be deducted for each day of sick leave taken. Should an employee cease to work for the school district prior to the completion of the employment year, and the maximum allotted sick leave has been used, the employee shall forfeit a day's salary for each sick day in excess of the entitlement as per Idaho Code 33-1216.

Each employee is entitled to the maximum allowance of sick leave as per Idaho Code 33-1216, commencing on his or her first day of employment.

The Board of Trustees will not provide compensation for unused sick leave.

Sick leave may not be used at the end of employment unless a legitimate medical excuse is provided.



LEGAL REFERENCE:

Idaho Code Section

33-1216 through 1218

Family Medical Leave Act

29 USC § 2654

58 CFR 31812 – 31839

Eberharter-Maki & Tappen, PA

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