



Monument Academy

Board of Directors Governance and Policy

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The Board recognizes that there may be times when an employee is unable to fulfill the duties of their position due to illness referred to as sick leave, or for personal reasons referred to as personal leave. Therefore, annual leave is provided for employees in accordance with this policy. *This policy should be read and understood in conjunction with the entirety of the HFWA. Any definitions, requirements, or details of the HFWA shall supersede this policy.*

Employee leave

Employee leave information can be found in Section I of Monument Academy Staff Handbook.

Misuse of annual leave

Misuse of annual leave shall be considered insubordination and may result in disciplinary action. Disciplinary action may include days taken in excess of approved leave not being paid.

Verification of the need for annual leave may be required should the Executive Director or designee at their sole discretion suspect a pattern of misuse of annual leave days. Examples of verification are official notices, official announcements, medical verification, written explanations by the employee, etc. The Executive Director or designee will determine the method of verification required.

Exhaustion of annual leave

Once an employee exhausts annual leave and additional time off is needed, the employee may apply for leave of absence without pay.

Leave without pay

If an employee is in need of leave without pay, he/she may be eligible for leave under the Federally Mandated Family Medical Leave Act (FMLA). (See Board policy regarding FMLA.)

In the instance in which an employee's request for annual leave is not appropriate for School reimbursement, but the supervising administrator determines that time off should be granted, the employee may apply for leave of absence without pay.

Prior to the date of such requested leave of absence without pay, the employee must notify his/her supervising administrator or designee as to the date the leave of absence will commence, the anticipated length of the leave of absence, and anticipated date of return, if known. The Executive Director or designee must approve all leaves of absence without pay.

Reinstatement upon rehiring

If an employee separates from employment with the School and is rehired by the School within 6 months after the separation, the School must reinstate any paid sick leave that the employee had

accrued but not used during the employee's previous employment if that accrued paid sick leave had not been paid out at the time of the separation.

Additional leave during a public health emergency

In addition to the paid sick leave generally accrued, on the date a public health emergency is declared the School will supplement each employee's accrued paid sick leave as necessary to ensure that full-time employees who work 40 hours or more in a week may take at least 80 hours of paid sick leave and that employees who work fewer than 40 hours in a week may take at least the greater of the number of hours the employee is scheduled to work in a 14-day period or the average time the employee works in a 14-day period. The district may count an employee's unused accrued paid sick leave toward the supplemental paid sick leave.

An employee may use the supplemental paid sick leave until 4 weeks after the official termination or suspension of the public health emergency. Leave under this provision may be taken for the following reasons:

- self-isolation or seeking medical care or treatment due to a diagnosis or symptoms of a communicable illness that is the cause of a public health emergency;
- caring for a family member who is self-isolating or seeking medical care after being diagnosed or is experiencing symptoms of a communicable illness that is the cause of a public health emergency;
- a determination from a local, state, or federal public official or health authority that an employee or a member of the employee's family that the employee cares poses a risk to the health of others;
- caring for a family member when the individual's school or place of care has been physically closed due to a public health emergency; or
- an employee's inability to work because of a health condition that may increase susceptibility to or risk of a communicable illness that is the cause of a public health emergency.

Documentation is not required to take paid sick leave during a public health emergency.

Nondiscrimination

The Board, the Executive Director, other administrators and School employees will not unlawfully discriminate, take adverse action, or retaliate against any employee who takes, attempts to take, or supports taking paid sick leave in accordance with this policy, files a complaint or informs any person about an alleged violation of the Healthy Families and Workplaces Act, or participates in an investigation, hearing or proceeding related to such matter.

Notice

To reduce unlawful discrimination and to ensure a healthy workplace environment, the administration is responsible for providing notice of this policy and the poster created by the Colorado Department of Labor and Employment to all district schools and departments. The policy must be referenced in employee handbooks and otherwise be made available to all staff through electronic or hard-copy distribution.

LEGAL REFS.:

C.R.S. 2-4-401 (*definition of immediate family*)

C.R.S. 8-13.3-401 et seq. (*Healthy Families and Workplaces Act*)

CROSS REFS.:

GBGF, Federally-Mandated Family and Medical Leave

GBJ, Personnel Records and Files

MA, Staff Handbook