

Urban Pathways K-5 College Charter School

Board of Trustees Policy

EMPLOYEE LEAVES OF ABSENCE

The Board of Trustees of the Urban Pathways K-5 College Charter School (“Charter School”) recognize the need of employees to have leaves of medical, family, civic and personal absence for a variety of reasons.

The Chief Executive Officer (“CEO”) is authorized to develop regulations in accordance with the guidelines of this policy and provide each work location with a copy of the regulations.

The CEO shall continually evaluate the effectiveness of this policy, particularly in light of situations that arise, and make appropriate recommendations to the Board of Trustees for any needed revision or addition.

The Board of Trustees reserves the right to specify the conditions under which uncompensated leave may be taken.

The following policy is preliminary and specific information will be set forth in the Employee Handbook or Manual.

Guidelines for Leave

There shall be printed regulations defining types of leaves, time limits for absence, permissible activities during leave, benefits, and salary, if applicable.

Proof of need for a leave of absence such as a physician's signed certification of illness or disability shall be presented by the employee as permitted by applicable law.

Any employee on leave shall be denied approval for engaging in any remunerative activity. Non-compliance of this provision will be a basis for employee dismissal from service.

An employee whose absence exceeds 3 consecutive days must provide a physician’s signed certification of illness or disability.

Records of attendance shall be maintained for each employee. Absences and reasons for the absences shall be noted. These records shall be part of the evaluation of the employee's service and maintained in the employee's confidential file.

Provision shall be made for an employee's absence not covered by sick leave or disability regulation. Approval of leave for such purposes shall be approved by employee's immediate supervisor. Such excused absences with entitlement to leave without loss of pay will include the following reasons:

1. The death of a member of the employee's immediate family, which includes spouse, mother, father, grandmother, grandfather, grandchild, sister, brother, son, daughter, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, and daughter-in-law entitles an employee up to three (3) days leave without loss of pay. Requests for bereavement leave will be considered in exceptional circumstances if someone dies who was as close to employee as an immediate family member.
2. Other reasons on a case-by-case basis as may be determined by the CEO and recommended to the Board of Trustees.

Uncompensated Leave

The Board recognizes that in certain instances, an employee may request extended leave for personal reasons and the Charter School would benefit from the return to service of the employee. Requests for such leave for reasons other than those stated below shall be made in writing and submitted to the CEO who will make a recommendation to the Board of Trustees for approval or disapproval. The Board of Trustees shall make the final decision in each case.

Approval may be given for the following purposes: birth and care of newborn child of employee, placement with employee of a child for adoption or foster care, to care for an immediate family member (spouse, parent, child) with a serious health condition or medical leave when an employee is unable to work because of a serious health condition;

The employee returning from leave may be reassigned in order of seniority of service as a vacancy occurs, either in the employee's former or an equivalent position.

The Charter School will provide benefits to eligible employees under the Family and Medical Leave Act ("FMLA") as required by law. Eligible employees shall be entitled to an uncompensated leave of up to twelve (12) weeks, including notice to the employer. The leave shall commence on the employee's stated date and shall be counted

continuously (this includes days compensated through sick leave/personal illness leave, personal leave, disability insurance or other income protection plan) unless the request is for intermittent leave as defined in the FMLA.

Under the FMLA and the terms of any employer-provided health insurance plan, health benefits will be maintained while employee is on FMLA, or other leave, to the extent required by applicable law. If employee does not return to work after exhausting the twelve (12) week FMLA leave or exhausting his/her period of approved leave (or terminates or is terminated from his/her position while on approved leave), benefits will be terminated by employer. However, employee may access or be eligible for COBRA health benefits upon termination of employment or if leave goes beyond twelve (12) weeks.

The Charter School will grant a military leave of absence if an employee is absent from work because he/she is serving in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and any applicable state law. Employee must give his/her supervisor advance notice of upcoming military service, unless military necessity prevents advance notice or it is otherwise impossible or unreasonable.

Holidays

All eligible employees will receive holiday pay for scheduled school holidays as described in the annual Board-approved Academic Calendar.

Eligible employees will be paid for holiday time off. If eligible, the employee's holiday pay will be calculated at the employee's straight-time pay rate as of that holiday multiplied by the number of hours the employee would normally have worked that day.

If an employee is found eligible for paid holidays, the employee must work both the last scheduled work day immediately before the holiday and the first scheduled work day immediately after the holiday.

If an employee is found eligible for paid holidays and on the holiday, the employee is on a paid absence, such as vacation or sick leave, the employee will get holiday pay instead of the paid time off pay they would have received.

If eligible nonexempt employees work on a recognized holiday, they will receive holiday pay plus their wages at their straight-time rate for the hours they worked on the holiday.

The Charter School does not count holiday paid time off as hours worked when calculating overtime.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.