

STAFF LEAVES AND ABSENCES

Personal Leave

At the beginning of each contract year, all regularly employed Bristol Virginia School Division employees are granted personal leave, as follows, for their use on a regularly scheduled workday, with no pay deducted.

Teachers, administrators, custodians, maintenance staff,
all bus drivers, aides, school nutrition staff, nurses,
interventionists, attendance officers, and permanent substitutes 3 personal days

Twelve-month, hourly clerical and technology 5 personal days

Unused personal leave days may be converted to sick leave days at the end of each school year. For those employees who are only eligible for personal days, any unused personal leave days will not transfer from one year to the next. Please see School Board regulation G CBD-R(2) for details on the bus driver, maintenance and custodial staff incentive program.

In order to take a personal leave day, employees must secure prior approval from their principal or immediate supervisor. Employees do not need to state the reason(s) for taking a personal leave day.

Professional Leave

Professional leave is defined as time approved for personnel to be away from their regular job responsibilities briefly without loss of pay in order to attend designated professional meetings, conference, workshops, etc., or for observations or visits in other school divisions or visits or observations within our own school division.

Professional leave without loss of pay may be granted to personnel as recommended and approved by the principal or immediate supervisor.

Jury Duty

Jury duty is recognized as a civic responsibility. Staff members are expected to fulfill this obligation as citizens of the community. Employees shall be granted time off to fulfill this responsibility without loss of pay or without charges against accrued leave.

Qualifications for payment are as follows:

- (1) The jury summons must be submitted to your supervisor as soon as it is received so that coverage may be arranged for you while you are off duty.
- (2) As soon as your obligation is totally completed, report to your supervisor and return to your regular duties in the school system.

- (3) Your receipt of payment for jury duty pay must be submitted to your supervisor. Any mileage paid will be refunded to the employee.
- (4) If jury duty does not require a full day, the employee is expected to return to work.

Witness in Court Cases or Other Court Appearances by Summons

Staff members appearing as witnesses in court for work-related events, after having received a summons, shall be paid their regular salary for the day or fraction thereof on which they appeared in court. In the event the staff member received compensation for such appearance, the staff member will be paid the difference between the regular salary for the day or fraction thereof, and the compensation received.

Unauthorized Absences

Absences for reasons not authorized by the board policies shall result in deduction of pay and may result in termination of service unless satisfactory explanation is made to the school administration.

Maternity Leave

Employment policies involving commencement and duration of leave, availability of extensions, accrual of seniority or other benefits and privileges, reinstatement, and payment under any health or temporary disability insurance or sick leave plan shall be applied to disability due to pregnancy on the same terms and under the same conditions as they are applied to other temporary disabilities.

An employee who becomes pregnant shall notify her principal or supervisor and the superintendent by the fifth month of pregnancy and shall provide a medical report from her attending physician including the anticipated date of delivery and a recommendation for a date to begin medical leave. The employee shall submit in writing to the building administrator her intent to initiate a request for medical leave as indicated in the Family and Medical Leave Act ("FMLA") policy (GCBE). Consideration shall be given to the employee's ability to perform her duties effectively, and to the educational welfare of the students, and the efficient operation of the school division.

An employee granted medical leave for pregnancy may return to her duties at such time as her attending physician and the superintendent determine that she is able to perform her duties with reasonable effectiveness.

A maximum of 12 weeks of leave is permitted through the FMLA. Beginning on the date of the birth, these 12 weeks of leave may include a combination of the employee's accrued sick leave, donated sick leave or unpaid leave. However, the employee is limited to a maximum of 6 weeks of donated sick leave during the requested FMLA leave. The school board is not liable in case of miscarriage, accident, or any injury to the mother or offspring.

Sabbatical

Professional personnel are eligible for consideration for sabbatical after having taught in the Bristol Virginia Public Schools for five sessions. Not more than two teachers may be granted such leave in any one session. All leaves shall be upon the recommendation of the superintendent and approval of the school board. Sabbatical shall be for one session with one-third salary paid. (A session is one nine-month school term.)

Teachers receiving leave obligate themselves to return and teach at least two sessions in the Bristol Virginia Public Schools, or return money received as salary during leave.

Sabbaticals are to be used for professional study and to promote professional competence and standing. The request for sabbatical shall contain the following information:

- (1) The reason for requesting sabbatical.
- (2) The school which the staff member plans to attend.
- (3) Course to be taken in school or benefits to be gained.
- (4) Reasonable proof that the school which is being considered will accept the staff member.
- (5) A description of the present responsibility of the staff member.

Personnel who return to the system after an approved leave of absence shall be placed on the salary scale at the level one step above that to which they were assigned the year prior to taking the leave, unless they already are at the maximum level.

The superintendent and/or the school board may impose additional requirements before leave is granted. Throughout the sabbatical, a teacher must provide the superintendent ample documentation that the leave is being used as it had been approved.

Sick Leave

All regular full-time employees are eligible for sick leave benefits. Each such employee shall accumulate sick leave at the rate of one sick leave day for each completed full month of employment, and, except as otherwise provided herein, such employee's accumulated but unused sick leave days shall carryover without limitation from one school year to the next school year. For purposes of this section a "school year" commences on July 1 and ends on June 30.

After January 1, 2014, subject to the regulations of the Virginia State Board of Education, regular full-time employees hired after January 1, 2014, and covered under the Virginia Retirement System ("VRS") Hybrid Retirement Plan and regular full-time employees that opt in to the VRS Hybrid Retirement Plan may carryover a maximum of ninety (90) accumulated but unused sick leave days from one school year to the next school year.

An employee cannot claim any portion of earned sick leave unless he/she has actually reported for duty one day of each contracted month. However, if an employee is unable, because of illness or accident, to work in accordance with the terms of their contract, such employee may use accumulated leave.

Sick leave will be granted for personal illness, illness and death in the immediate family, or in the case of death of a close friend.

In addition to bereavement leave, a full-time employee shall receive pay for up to three (3) accumulated sick leave days for the death of an immediate family member and up to three (3) accumulated sick leave days with the approval of the Superintendent for the death of a close friend.

In this situation the “immediate family” of an employee shall be regarded to include natural parents, adoptive parents, foster parents, stepmother, stepfather, wife, husband, children, brother, sister, father-in-law, mother-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, grandmother, grandfather, and close friend.

Qualifying for Sick Leave

Personnel who are absent from duty because of illness, quarantine, or other reasons hereinafter described shall receive pay as prescribed by contract during such absence subject to the following regulations:

- (1) When an employee is unable to be at work, he/she shall notify his/her supervisor as soon as he/she has determined that he/she will not be able to be there. This is to be done before 7:00 A.M. of the workday, if possible.
- (2) When an employee is ready to return to work, he/she shall notify his/her supervisor the day prior to his/her return. If this is not possible, he/she shall notify his/her supervisor before 7:00 A.M. the next morning.
- (3) An employee who reports to work and has not notified the supervisor shall expect to have the pay for the substitute (if one has been requested) deducted from his/her monthly check. If a substitute has been requested, the substitute will be paid and excuse from classroom duties for that day and will fulfill obligations assigned by the supervisor.
- (4) An employee who is absent from duty for five (5) consecutive business days or five (5) business days in a period of ten (10) consecutive business days, because of illness or quarantine of the employee or of an immediate family member of the employee, shall provide to his or her immediate supervisor a doctor's certification for such absence.

Reimbursement for Unused Sick Leave Days

An employee retiring under the Virginia Retirement System and who has been employed with Bristol Virginia Public Schools for at least five years shall receive a payment of \$20 per day for all unused sick leave days, up to a maximum payment of \$4,000.

No payment shall be made for accumulated donated sick leave days.

Any employee receiving payment for unused sick leave days forfeits the right to utilize those sick leave days in the future.

Any employee who leaves the employment of the school system for any reason and who is later rehired shall be given a hire date as of the date of rehire. Any fringe benefits shall accrue from that date, and any previous service or fringe benefit prior to that date will not be recognized except as required by law.

Transfer of Sick Leave Hours

A sick leave hour transfer policy is hereby established by which Bristol Virginia Public Schools personnel may transfer sick leave hours to other personnel within the division.

The regulations governing the program are as follows:

- (1) Personnel requesting the donation of sick leave hours must submit the request to their building administrator prior to exhausting their own leave days. The building administrator will forward the request to the office of the division superintendent.
- (2) Personnel wishing to transfer sick leave hours must complete the "Request for Transfer of Sick Leave" form and submit it to the central office.
- (3) The superintendent will review and make a decision on each request for the transfer of sick leave hours on a case-by-case basis.
- (4) Requests for the approval of the transfer of sick leave hours shall be limited to situations in which one employee has used up his/her own sick leave, personal leave, vacation leave, and wellness days if applicable, and another employee or employees agree to donate and transfer one or more sick leave hours to him/her.
- (5) Only the number of hours needed will be transferred.
- (6) Other than for personal illness, a maximum of 6 weeks of donated sick leave is permitted. This limit on donated sick leave hours also applies to pregnancy and any leave listed in the FMLA.

Bereavement

All regular employees, including regularly scheduled part-time employees, are eligible for two (2) days of paid bereavement leave. This leave shall be defined as leave granted for a death in the immediate family.

In this situation the "immediate family" of an employee shall be regarded to include natural parents, adoptive parents, foster parents, stepmother, stepfather, wife, husband, children, brother, sister, father-in-law, mother-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, grandmother, grandfather, and close friend.

Full-time employees may be eligible for additional paid days as noted in the sick leave section of this regulation.

Short Leave of Absence Without Pay

Requests for a short leave of absence without pay shall be discussed with the superintendent. The superintendent shall have the authority to grant leave of absence for a period of five (5) days or fewer as outlined in board policy GCBEA and in compliance with the FMLA. The school board shall act on requests of more than five (5) days.

In cases of requests for leave of absence without pay, an employee's accrued vacation leave, sick leave, and personal leave must be fully used before the unpaid time off commences.

Holidays

Twelve-month, hourly employees are granted twelve (12) holidays as follows (maintenance, custodial, clerical, technology, SNB drivers):

- Independence Day, July 4
- Labor Day, first Monday in September
- Fall Break (1 day)
- Thanksgiving (3 days)
- Christmas (3 days)
- New Year's Day, January 1
- Good Friday (1 day)
- Memorial Day, last Monday in May

Ten-month aides, nurses, school nutrition staff, interventionist, bus drivers, and permanent substitutes are granted five (5) holidays as follows:

- Thanksgiving (2 days)
- Christmas (2 days)
- Good Friday (1 day)

Choice Days

From time to time, schools will be closed for a variety of reasons such as Spring Break, Christmas Break or a scheduled calendar break. Twelve-month, non-exempt clerical or technology employees will have the option of working those days, taking leave (vacation or personal) or electing leave without pay.

An employee who is absent from duty because of an illness or a medical procedure may request to use a sick leave day during choice day protocol. The employee will be required to provide a doctor's certification to their supervisor. The supervisor will review the request and may grant approval for use of sick leave on a case-by-case basis.

Unscheduled Closures

Twelve-month, non-exempt clerical or technology employees will institute Choice Day procedures. Ten-month, non-exempt school-based employees, Tier I and Tier II bus drivers, bus aides and school nutrition staff will not report to work unless otherwise assigned by their supervisor. Maintenance, custodial, and SNB drivers will report to work as normal.

Unscheduled Delays

Twelve-month, non-exempt clerical or technology may report on a one-hour delay. Ten-month, non-exempt school-based employees, bus aides, and Tier I and Tier II bus drivers will report at the designated delay time unless otherwise assigned by their supervisor. Maintenance, custodial, SNB drivers and school nutrition staff will report to work as normal.

Unscheduled Early Release

Unless otherwise scheduled on the division calendar or by the Division Superintendent, hourly employees will complete normal work hours on unscheduled, early release days.

Military Reserve and National Guard Leave

Any permanent school board employee who is a member of the National Guard or an organized military reserve of the United States, who is required to report for military reserve training during employment, shall be excused from his/her job responsibilities by the school board.

Reciprocity of Sick Leave for Teachers

The Bristol Virginia Public Schools will cooperate in transfer of accumulated sick leave to any other school system in the Commonwealth of Virginia. The teacher and an official of the other school division must request the transfer.

The Bristol Virginia Public Schools will accept the transfer of all accumulated sick leave benefits from any school division in Virginia for all Plan 1 or Plan 2 VRS employees. The incoming employee must request the transfer and provide the proper documentation.

After January 1, 2014, subject to the regulations of the Virginia State Board of Education, regular full-time employees hired after January 1, 2014, and covered under the Virginia Retirement System ("VRS") Hybrid Retirement Plan and regular full-time employees that opt in to the VRS Hybrid Retirement Plan shall only transfer a maximum of ninety (90) unused sick leave days from any school division in Virginia.

Absence Due to Work Related Injury

If an employee is injured, the Bristol Virginia Public Schools workmen's compensation insurer shall determine if the injury will be compensable in accordance with the Virginia Workmen's Compensation Act.

The Bristol Virginia Public Schools' procedure for continuation of pay and application of leave policies in coordination with workmen's compensation is as follows: An employee on leave with a compensable injury will be charged sick leave for each day of absence. When no sick leave is available, the absence will be charged as leave without pay, unless the employee is eligible for donation of days under the donation policy and the employee chooses to exercise that privilege. Please refer to the Transfer of Sick Leave Hours section for guidance. The employee will be required to remit, to Bristol Virginia Public Schools, any workmen's compensation pay received from the insurer by endorsing all workmen's compensation checks over to Bristol Virginia Public Schools. As checks are received by Bristol Virginia Public Schools, the employee's sick days will be restored by 2/3. Therefore, the ultimate result will be that the employee is charged 1/3 sick day for any day compensated by workmen's compensation. Thus, the employee will be charged sick leave as a supplement in the form of the difference between the payments received from the workmen's compensation insurer and the employee's regular rate of pay. Donated leave will not be reinstated. When no sick leave or donated leave is available to coordinate with the workmen's compensation, the employee may still receive a check from the insurer; however, the absence from Bristol Virginia Public Schools will be charged as leave without pay. The use of sick days will only be allowed during a pay period when an employee would normally work. At no time will the employee's combined total gross of payment (workmen's compensation pay plus accumulated leave pay) be greater than his/her normal rate of pay.

During an absence due to a work related injury that is compensable under workmen's compensation, the employee will continue to accrue leave in accordance with the policy regulating the accrual of leave. Leave under this policy is also subject to the Family and Medical Leave Act policy for eligible employees. Employer paid benefits will continue in accordance with normal leave procedures of the Bristol Virginia Public Schools.

Revised: by the Superintendent of Schools on January 5, 2023