

POLICIES PERTAINING TO OUR EMPLOYEES

LEAVE & ABSENCE FROM DUTY

Leave & Absence From Duty:

Employees taking leave or absence from duty shall do so only in compliance with school policy and procedure. Failure to return to duty promptly after an approved leave of absence shall be cause for disciplinary action up to and including termination of employment.

Employee leave shall include:

Personal/Sick Days Off - All full time hourly and salaried employees working 40 hours per week, at least 10 months out of the year, are entitled to five (5) paid personal/sick days off during the school year. Individuals who become school employees during the school year will have their personal/sick days prorated from their date of hire. These days may be taken if you are ill, have a sick child, need to attend a funeral, or need to take care of a family obligation. These days should be scheduled with and approved by the Executive Director. For absences other than illness or funeral, employees should submit a request for absence form at least two weeks prior to the need to take time off, if possible. These days cannot be taken immediately prior to or after a scheduled school break. Any unused personal/sick days will be forfeited on June 30th of each year. All personal/sick days must be used before any time without pay can be taken. Personal/sick days earned are not vested as a termination benefit and can not be converted to cash at any time including at the time of termination. Any unused personal or sick days will be compensated in September of the following year for those employees who are still employed and in addition, if no absences occurred throughout the entire prior school year, the employee will be rewarded.

For teaching staff, directly responsible for students, it is imperative that you call the designated staff member to notify of an immediate absence. It is favorable to call the night before to notify that you will need a substitute teacher, or call before 7:00 a.m. when you foresee that you will not be at work that day. **DO NOT LEAVE A MESSAGE...make certain you speak to a member of the office staff.**

Because Pinewoods Academy has fewer than 50 employees, we will not automatically grant leave of absence in accordance with the Family and Medical Leave Act. (FMLA). The authority to grant an extended unpaid leave of absence will depend upon whether it is in the best interest of the school to do so and will be granted by the Executive Director with approval by the Board of Directors.

2. **State Military and Armed Forces Reserve Short-Term Leave:** An employee of the School who is a member of the state military forces (the Texas National Guard, the Texas State Guard, and other active militia or military forces organized under state law), or a reserve component of the Armed Forces, is entitled to a leave of absence from his or her duties on a day on which the person is engaged in authorized training or duty ordered or authorized by proper authority. During a leave of absence the employee may not be subjected to loss of

time, efficiency rating, vacation time, or salary. Leaves of absence may not exceed 15 days in a Federal fiscal year. An employee returning from such leave of absence shall be returned to the position that the employee held when ordered to duty.

3. **Federal and State Military Long-Term Leave:** An employee who leaves the employment of the School to enter active military service is entitled to be re-employed in the same position held at the time of the induction, enlistment in, or order to, active military service or to a position of similar seniority, status, and pay. To be entitled to such re-employment, the employee must be (a) discharged, separated, or released from active military service under honorable conditions not later than the fifth anniversary of the date of induction, enlistment, or call to active military service, and physically, and (b) mentally qualified to perform the duties of that position. An employee who cannot perform the duties of his original or similar position because of a disability the employee sustained during military service is entitled to be re-employed in a position that the employee can perform, and that has like seniority, status, and pay as the former position, or the nearest possible seniority, status, and pay to the former position. An employee veteran eligible for re-employment under the foregoing conditions, must apply for re-employment not later than the 90th day after the date the veteran is discharged or released from military service under honorable conditions. An employee veteran re-employed under this Policy may not be discharged from the position without cause before the first anniversary of the date of re-employment. An employee veteran re-employed under this Policy is considered to have been on furlough or leave of absence during the time the individual was in military service and may participate in retirement or other benefits to which a public employee is or may be entitled.

4. **Religious Leave:**

The School shall grant leave requests for religious observances and practices except when such requests cannot be reasonably accommodated without undue hardship on the conduct of the School's operations. Such leave shall be unpaid unless other paid leave is available under School Policy and is requested by the employee.

5. **Compliance With Subpoena:**

No employee shall be discharged, disciplined, or penalized in any manner because the employee complies with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding.

Date Adopted: _____