Policy #:	**HRS.300.4**
Policy Title:	Employee Attendance & Leave
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Related Documents:	C.R.S. 22-63-112 (2)(a) Title VII, Civil Rights Act of 1964 P.L. 95-555, Pregnancy Discrimination Act Section 19-5-211, C.R.S. C.R.S. 13-71-119 C.R.S. 13-71-126 C.R.S. 13-71-129 C.R.S. 13-71-132 through 13-71-134 Family and Medical Leave Act of 1993 (FMLA) PTO Request Form Sick Bank Donation Form

Attendance
Punctual and consistent attendance at work is a fundamental requirement of employment at MVCS. Employees are expected at work on all scheduled work days and during all scheduled work hours, and to report to work on time. An employee must notify their supervisor as far in advance as possible—but not later than two hours before their scheduled starting time—if they expect to be late or absent. A record of absenteeism is kept and becomes part of an employee's personnel record. To the extent permitted by law, excessive absenteeism and tardiness not due to illness may result in dismissal.

Employees are expected to make sure their scheduled meetings or duties will be covered in the event of absence. It is imperative that teachers follow the substitute teacher procedure including preparing a general substitute teacher folder which provides substitute teachers with all needed information to adequately cover the class. Non-exempt employees are expected to alert their supervisor if they anticipate a need to work above 40 hours in a week.

PTO
MVCS offers Paid Time Off (PTO) for employees for illness, personal days, or vacation. All employees receive PTO leave each year based on contract hours and years of service. PTO accrues as delineated in the following table (hours/days earned are based on a 40-hour workweek, and prorated for employees working fewer):

Position Type	Years of Employment	Days Earned/Year	Total Hours/Year
All Staff other than Family Advisors	1	10	80
	2-4	10 + 1	88
	5-9	10 + 2	96
	10-14	10 + 3	104
	15+	10 + 4	112
Family Advisors	1	5	40
	2-4	5 + 1	48
	5-9	5 + 2	56
	10-14	5 + 3	64
	15+	5 + 4	72

Employees receive 50% of the total annual PTO hours on the first day of the fall semester, and the remaining 50% on the first day of the second semester. All employees may roll up to 80 hours of accumulated PTO time to the next school year. All hours above 80 will be lost at the completion of the school year. New employees are encouraged to not take PTO during the first three months of employment other than for illness. Employees may not use personal leave on blackout days (all employees needed—listed on annual school calendar). An employee will be docked the daily rate of pay for leave taken on these days unless approved by his or her supervisor.

Employees are expected to document a PTO request by using a PTO Request form submitted to their supervisor with reasonable advance notice as appropriate to the leave type (i.e. vacation, emergency, etc.) and the employee's duties (i.e. amount and type of interactions with others).

PTO may be used for the following reasons as well as other personal purposes not listed below.

- The employee has a mental or physical illness, injury, or other health condition; needs a medical diagnosis, care or treatment related to such illness, injury or condition, or needs to obtain preventative medical care.
- The employee needs to care for a family member who has a mental or physical illness, injury, or other health condition; needs a medical diagnosis, care or treatment related to such illness, injury or condition, or needs to obtain preventative medical care.
- The employee or family member has been the victim of domestic abuse, sexual assault, or harassment, and needs to be absent from work for purposes related to such crime.

- A public official has ordered the closure of the school or place of care of the employee's child or of the employee's place of business due to a public health emergency, necessitating the employee's absence from work.

Employees other than Family Advisors must be on site for their designated office hours or take PTO time for personal or sick leave. For instance, if a teacher is scheduled to be on site for 6 hours on Monday, he or she must take 6 hours of PTO if absent that day, even if additional hours were worked for the remainder of the week. Due to the lower percentage that FAs are required to be on site, FA office hours are flexible within the month, but the total amount of required hours for the month must be met. PTO will need to be taken only if the FA is not on site 25% by the end of the month (total on-site hours).

If an employee reaches a balance of less than 20 hours during the school year, the employee will receive a Notice of Personal Leave Balance letter. An employee who uses more time than his/her given PTO for reasons other than medical illness may take additional unpaid time if approved by his/her supervisor. Employees who have extended illnesses or have a family member with an extended illness may apply for up to 80 hours of additional PTO time from the MVCS Sick Bank. This request should be submitted to the Business Manager who will handle the process.

Sick Bank

An employee who has been employed by MVCS for one calendar year may be eligible to ask for time from the Sick Bank under the following guidelines:

- All PTO hours have been exhausted.
- The employee can provide documentation from a physician stating that he/she is not capable of working due to personal illness.
- The employee will petition the Director by completing the Sick Bank request form and attaching physician documentation.
- Employees will be allowed one request during a school year of not more than 80 hours of Sick Bank time.
- If hours are requested and not available within the Sick Bank, the Administration may choose to petition the staff for the additional hours needed.
- A staff member (other than a family advisor) may opt to donate 8 hours of PTO time to an employee in need only if they have more than 80 hours of PTO time available. A Family Advisor may opt to donate 4 hours of PTO time to an employee in need only if he or she has more than 40 hours of PTO time available.
- An employee must complete a Sick Bank Donation form and turn it in to the Business/Operations Manager in person, at which time the day and hour of

receiving the donation form will be noted. Donation forms will be accepted and recorded in the order received.

- Should the employee not use all of the Sick Bank time requested, the hours will revert to their original owners.

If hours donated by other employees are not used in full, those unused hours will be added back to the individual PTO accounts. Hours will be used in the order in which they were received by individuals (by date and time of received donation).

Medical Certification & Examinations

MVCS has the right to request a note from a doctor which states an employee may return to work if the employee has missed more than three consecutive days or is returning to work after an injury. Failure to provide the necessary information, if requested, can affect employee eligibility for PTO leave and will be treated as a failure to follow school policy and procedures.

School administration has the right to ask for a medical or psychological examination (paid for by MVCS) if we believe an employee's condition is interfering with the performance of their regular duties. Failure to cooperate will be treated as a failure to follow policy and comply with directives.

Family Medical Leave Act

Eligible employees may take up to 12 weeks of unpaid job-protected leave in a 12-month period for specified family and medical reasons. Employees are eligible if they have worked for at least 1,250 hours in the past 12 months for the school. Employees may take this leave for the following reasons: birth of a child, placement or care of a foster child, care for child, spouse, or parent with a serious medical condition, or for his/her own serious health condition that prevents performance of duties at MVCS. Leave is unpaid, but an employee may use remaining paid leave days that are available at the time of request. An employee may request intermittent leave or a reduced schedule to care for a family member or his/her own serious health condition. Please provide thirty days advanced notice, or as much notice as possible. Medical certification is required before employee leave begins; periodic reports and statements of intent to return to work may be requested by school administration as well as a medical certification to return to work after the leave has been completed. Benefits will remain the same up to twelve weeks, after which employees may purchase continuing coverage through the COBRA rules.

Public Health Emergency

During a public health emergency, a 40-hour employee will be granted up to 80 hours of paid sick leave upon the date of the declared emergency, including any existing accrued sick time. All other employees will be granted the amount of hours they are scheduled

to work in a two-week time frame, including any existing accrued sick time. These hours will be given for the following reasons:

- Employee needs to self-isolate and care for oneself because of a diagnosis or experiencing the symptoms of a communicable illness connected to the cause of the public health emergency or to care for a family member who has to self-isolate for those reasons.
- To seek preventative care or medical diagnosis, care, or treatment for symptoms of a communicable illness that is the cause of the public health emergency or to care for a family member for those reasons.
- When a public official or health authority determines the employee's or employee's family member's presence on the job or in the community would jeopardize the health of others because of the individual's exposure to or exhibiting symptoms of the communicable illness that is the cause of the public health emergency (whether diagnosed or not).
- Care of a child or other family member when the individual's childcare provider is unable due to a public health emergency, or if the child's or family member's schools or place of care is closed by a public health emergency (including if it physically closed but providing remote instruction).

Jury Duty

In the event of a jury duty summons, an employee will be paid at the regular rate of pay and will not be charged for leave. Employees must provide a copy of the jury summons to the Business Manager at least one week in advance of the date in which service is required.

Bereavement

In the event of bereavement, employees are granted time off separate from PTO. For an immediate family member employees will receive up to five days of paid leave. Immediate family members include a spouse, child, parents, siblings, mother- and father-in-law, stepparents, stepchildren, and step-siblings. Three days paid leave will be given for an extended family member. Extended family members include aunts, uncles, grandparents, grandparents-in-law, grandchildren, brother- and sister-in-law, and daughter- or son-in-law. Employees may be asked to provide MVCS with the necessary information in order to be granted bereavement time. A copy of an obituary, funeral/memorial service bulletin, or other appropriate documentation may need to be attached to a time off request in order for the employee to be paid for bereavement leave. Additional leave may be taken if necessary using PTO time. MVCS understands that funerals/memorials/burials may not take place immediately after the death of a family member, and will allow bereavement leave at a later time as long as the employee provides a notice of the service.

Maternity/Paternity
Maternity/Paternity leave is for those employees that will be out for an extended time due to the birth or adoption of a child. Employees can receive up to six weeks of non-paid maternity/paternity leave, but are encouraged to use any accumulated paid time off days before using maternity/paternity leave.

Military Service
Leave will be granted for employees requiring leave to serve in the uniformed services. A Leave of Absence Form with a written notice is required. The length of leave is determined by the uniform services. Military service is not a paid leave category, but employees may keep benefits for up to 18 months as long as employees continue paying insurance. Reinstatement of employment will occur on return from duty.

Administrative
The Director may order any employee to be placed on administrative leave, usually with pay, if it is determined that it is in the school's best interest to do so.