

## **Lewistown School District**

### **PERSONNEL**

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#### Leaves of Absence

##### Sick and Bereavement Leave

Certified employees shall be granted leave according to the terms of the current collective bargaining agreement.

Classified employees shall be granted sick leave benefits in accordance with 2-18-618, MCA. For classified staff, "sick leave" means a leave of absence, with pay, for a sickness suffered by an employee or his or her immediate family. "Immediate family" is defined as the employee and spouse and their grandparent, father, mother, sister, brother, daughter, son and grandchild. Nothing in this policy guarantees approval of the granting of such leave in any instance. Each request will be judged by the District in accordance with this policy and the governing collective bargaining agreements.

It is understood that seniority shall accumulate while a teacher or employee is utilizing accumulated sick leave credits. Seniority will not accumulate unless an employee is in a paid status. Abuse of sick leave is cause for discipline up to and including termination.

An employee who has a death in the immediate family shall be eligible for bereavement leave. The Superintendent shall have the authority to give bereavement leave for up to five (5) days. Bereavement leave of greater than five (5) days must be approved by the Board. Such leave shall not exceed three (3) months, unless prescribed by a physician.

##### Personal and Emergency Leave

Teachers will be granted personal and emergency leave according to the terms of the current collective bargaining agreement. Upon recommendation of the Superintendent, and in accordance with law and District policy, classified staff may be granted personal leave pursuant to the following conditions:

1. Leave will be without pay unless otherwise stated. If leaves are to include expenses payable by the District, the leave approval will so state.
2. Leave will only be granted in units of half or full days.
3. Notice of at least one (1) week is required for any personal leave of less than one (1) week. Notice of one (1) month is required for any personal leave exceeding one (1) week.
4. The Superintendent, with approval of the Board, shall have the flexibility, in unusual or exceptional circumstances, to grant personal leave to employees not covered by sick or annual leave. During any personal leave of greater than fifteen (15) days, the employee will not receive fringe benefits. During the leave, the employee may pay the District's share of any insurance benefit program in order to maintain those benefits, provided that such is acceptable to the insurance carrier. Staff using personal leave shall not earn

any sick leave or annual leave credit or any other benefits during the approved leave of absence.

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### Civic Duties Leave

Leaves for service on either a jury or in the legislature shall be granted in accordance with state and federal law. A certified staff member hired to replace one serving in the legislature does not acquire tenure.

An employee who is summoned to jury duty or subpoenaed to serve as a witness may elect to receive their regular salary or take annual leave during jury time. If the employee elects not to take annual leave, however, all juror and witness fees and allowances (except for expenses and mileage) must be remitted to the employer. An employer may request the court to excuse an employee from jury duty if he or she is needed for the proper operation of the school.

Legal Reference:	42 USC 2000e Equal Employment Opportunities
	2-18-601(10), MCA Definitions
	2-18-618, MCA Sick leave
	49-2-310, MCA Maternity leave - unlawful acts of employers
	49-2-311, MCA Reinstatement to job following pregnancy- related leave of

### Policy History:

Adopted on: June 28, 2004

Revised and readopted on: September 13, 2004