

This policy shall apply to all benefits-eligible employees of the Okefenokee RESA Board of Control (“the Board”). All employees are required to follow the appropriate work calendar established for their positions and may take leave from work only in accordance with this policy or other leave policies enacted by the Board. Unless otherwise provided by the Board, principals and other supervisors are not authorized to rearrange the work calendars of employees. Deductions in pay will be made for absences not covered by this policy.

**ACCRUAL OF SICK LEAVE AND ABSENCE FOR MEDICAL AND RELATED REASONS**

Each benefits-eligible employee of the Board shall be allowed to earn sick leave, with full pay, computed on the basis of one and one-fourth (1 1/4) working days for each completed month of service. All employees may accumulate unused sick leave from one fiscal year to the next up to a maximum of forty-five (45) days, although the Teacher Retirement System of Georgia allows participating employees to accumulate an unlimited number of unused sick leave days for credit toward retirement. Sick leave accumulated by a certificated employee or bus driver is transferable from one school system to another, up to a maximum of 45 days. Accumulated leave earned by a certificated employee must be forfeited if such employee withdraws from service for twelve or more consecutive months, but such forfeited leave may be reinstated in accordance with the provisions of O.C.G.A. § 20-2-850. Accumulated leave earned by a bus driver under O.C.G.A. § 20-2-1110 must be forfeited if the driver withdraws from service for 24 or more consecutive months.

Sick leave may be used upon the approval of the Executive Director or designee for absence due to personal illness or injury, exposure to contagious diseases, or for absences necessitated by illness or death in the employee's immediate family.

For any absence in which sick leave is used, the Executive Director or designee may require a physician's certificate stating that the employee is ill and is unable to perform his or her duties. In the event that sick leave is used to care for a member of the immediate family, the Executive Director or designee may require a physician's certificate stating that the employee is needed to care for the sick family member.

For the purposes of absences for medical and related reasons, members of the immediate family are defined as spouse, children, parents, siblings, in-law equivalents of the same, grandparents, grandchildren or relatives living in the employee's household.

**PERSONAL AND PROFESSIONAL LEAVE**

Employees may use up to (3) days of accumulated sick leave for personal or professional leave if prior approval has been given and if the presence of the employee requesting absence is not essential for effective school operation.

A leave form must be filed and approved by the Executive Director or designee prior to leave. Unless otherwise approved by the Executive Director or designee, personal and professional leave will not be

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granted during pre-planning, post-planning, in-service days or on the day before or day after holidays. In addition, personal leave will not be granted during the first week of the student school year or during the last week of the student school year, unless the Executive Director or designee, in his or her discretion, determines that such leave should be granted. The Executive Director or designee may refuse to allow an employee to take personal or professional leave if qualified substitutes are not available. Employees are not required to disclose the purpose for which such absence is sought but may be required to state whether the absence is for "personal" or "professional" reasons. Professional leave taken at the request of the school district or when required in conjunction with the district's routine professional development or training activities will not be charged against the employee's sick leave.

**OBSERVANCE OF RELIGIOUS HOLIDAYS**

Employees may use personal leave for the observance of recognized religious holidays. If an employee desires to take leave for the observance of recognized religious holidays in excess of the days allowed for personal leave, the employee may take unpaid leave for such purposes, provided that such leave is not excessive and does not interfere with fulfilling the obligations of his or her job.

**JURY OR WITNESS LEAVE**

Each employee shall be allowed leave with pay for the purposes of serving as a juror in any court or when attending a judicial proceeding in response to a subpoena or other court order or process that requires the employee's attendance at the judicial proceeding in a work-related matter. Jury and/or witness leave shall not be deducted from an individual's accumulated personal, professional or sick leave. No employee utilizing jury or witness leave shall be required to pay the cost of employing a substitute to serve during his or her absence for such leave. Employees who serve on juries or who are subpoenaed to attend a judicial proceeding in a work-related matter must remit to the Board of Control any jury/witness pay they receive.

**MILITARY LEAVE**

All employees are entitled to paid leave not to exceed eighteen days in any one federal fiscal year for the purpose of complying with ordered military duty with the armed forces of the United States or State of Georgia, including duty as a voluntary member of the National Guard or any reserve component of the United States or State of Georgia. In the event the Governor declares an emergency that results in an employee being ordered to military duty as a member of the National Guard, the employee is entitled to leave not exceeding thirty days in any one federal fiscal year. Employees who have military commitments shall inform the Executive Director or designee annually, provide a copy of the official military orders, and cooperate to the extent possible in scheduling such leave so as to minimize the disruption in those employees' duties and the mission of the Board of Control.

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**LONG TERM LEAVE**

An employee may request a leave of absence without pay, not to exceed one year, because of catastrophic illness. To qualify, the employee must meet the eligibility requirements of FMLA Leave and have exhausted the FMLA Leave. Long term leave is restricted to the catastrophic illness of an employee, an employee's spouse, or the employee's child. In the event an employee has unused vacation, personal or sick leave, it will run concurrently with the long-term leave. If the long-term leave is granted, the leave will be from the system and not from a specific job assignment. To initiate the leave an may apply in writing to the Executive Director. The letter shall specify the beginning and ending dates of the leave and shall acknowledge the following conditions:

1. The employee recognizes that the leave is being granted with the understanding that the specific positions may not be held for the employee.
2. The only job right reserved for the employee will be that being considered, upon application, for any vacancy for which the employee is qualified.
3. The employee must re-apply at the end of the leave of absence in order to activate the job search procedure within the Okefenokee RESA.

The leave of absence will be considered official with the receipt by the employee of a letter from the Executive Director of RESA approving the leave.

These leave of absence conditions will not be enforced in the case or ordered military service over which the employee has no control.

**PAID PARENTAL LEAVE**

The OK RESA Board of Control shall make paid parental leave equally available to all eligible employees of the Board of Control under the following terms:

1. An employee of the OK RESA Board of Control shall be eligible for paid parental leave for qualifying life events upon satisfying the following criteria:
  - a. The employee is classified as full-time by Okefenokee RESA and is eligible to participate in the TRS (Teacher Retirement System of Georgia) or the PSERS (Public School Employees Retirement System); and
  - b. The employee has six continuous months of employment with the OK RESA Board of Control, regardless of whether he or she is eligible for paid or unpaid leave under federal law. An employee paid on an hourly basis must have worked a minimum of 700

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hours over the six-month period immediately preceding the requested paid parental leave date.

2. A qualifying life event means:
  - a. The birth of a child of an eligible employee;
  - b. The placement of a minor child for adoption with an eligible employee; or
  - c. The placement of a minor child for foster care with an eligible employee.
  
3. The maximum amount of paid parental leave that may be taken by an eligible employee during a rolling 12 month period is 120 hours, regardless of the number of qualifying life events that occur during such period.
  - a. The rolling 12 month period shall be measured backward from the date an eligible employee first uses parental leave.
  - b. Parental leave may be taken as needed and may be taken in increments of less than eight hours.
  - c. Any unused paid parental leave that remains 12 months after the qualifying event shall not carry over for future use.
  - d. Unused paid parental leave shall have no cash value at any time of the eligible employee's separation from employment with the Board of Education.
  
4. Paid parental leave under state law **shall** run concurrently with any leave provided under federal law.
  
5. Eligible employees requesting paid parental leave must submit the district's designated form to the Executive Director or designee at least **60** school days in advance of the requested leave start date.
  
6. The Executive Director or designee shall develop paperwork needed to administer paid parental leave, which shall specify the documentation required to establish the existence of a qualifying life event.

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**FAMILY AND MEDICAL LEAVE ACT (FMLA)**

See board Policy GBRIG.

**DISCLAIMER**

To the extent that any provision in this policy conflicts with or is superseded by the Family and Medical Leave Act ("FMLA"), the regulations promulgated there under, or any other federal or state law, the provisions of the applicable law or its regulations, as the case may be, shall control.

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**Note:** The State of Georgia has moved the Georgia Code. This new environment no longer allows us to link directly to the Georgia Code. For example enter 20-02-0211 in the search window and the Georgia Code will appear.

<b>State Reference</b>	<b>Description</b>
O.C.G.A 20-02-0182	<a href="#">Program weights to reflect funds for payment of salaries and benefits</a>
O.C.G.A 20-02-0850	<a href="#">Sick leave for teachers and other personnel</a>
O.C.G.A 20-02-0851	<a href="#">Use of accumulated sick leave for personal or professional reasons</a>
O.C.G.A 20-02-0852	<a href="#">Maternity leave</a>
O.C.G.A 20-02-0853	<a href="#">Accumulation of and payment for unused sick leave</a>
O.C.G.A 20-02-0870	<a href="#">Right to leave for jury duty or when subpoenaed</a>
O.C.G.A 20-02-1110	<a href="#">School bus drivers - sick leave with pay; accumulation of unused sick leave</a>
O.C.G.A 20-02-1111	<a href="#">School bus drivers - accumulated sick leave for personal reasons</a>
O.C.G.A 20-02-1190	<a href="#">Allotment of state funds for sick leave - food service personnel</a>
O.C.G.A 20-02-1191	<a href="#">Requirements for sick leave programs for school food service employees</a>
O.C.G.A 21-02-0404	<a href="#">Affording employees time off to vote</a>
O.C.G.A 34-01-0003	<a href="#">Discrimination against employee for attending judicial proceeding in response to subpoena prohibited</a>
O.C.G.A 38-02-0279	<a href="#">Rights of public officers and employees absent on military duty</a>
O.C.G.A 45-20-0030	<a href="#">Leave of absence for blood donation</a>
O.C.G.A 47-03-0092	<a href="#">Absence from employment due to sick leave; TRS creditable service</a>
<b>Federal Reference</b>	<b>Description</b>
29 CFR Part 825	<a href="#">The Family and Medical Leave Act of 1993 - Regulations</a>
29 USC 2601	<a href="#">Family and Medical Leave Act</a>

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