



## Association Leave Policy

### **Employee Leave:**

Every Moab Charter School employee is required to notify the Director or designee in advance of the dates of all requested time off via email at least 2 weeks prior to the known absence. Upon approval, the employee must enter their request in the time off portal. Unforeseen circumstances, such as illness or injury, are exceptions to this rule, where the Director will document the absence for school records.

The following guidelines are designed for the proper use of Employee Paid Time Off (PTO) leave:

1. If the employee will not be reporting to work, he/she must call the Director or have someone call for him/her at least sixty (60) minutes prior to the School start time (8:15 am).
2. If the employee must leave the school because of illness or other reasons, he/she must inform the Director before leaving.
3. If the employee foresees the need to take PTO (e.g., for non-emergency surgery, for a doctor's appointment, or for personal reasons), he/she should make every effort to schedule the appointment(s) outside of the regular workday. If an appointment must be scheduled during the regular workday, the employee must inform the Director as soon as possible so that plans can be made to cover the absence, a minimum of two-weeks' notice is requested.
4. Disabilities related to pregnancy or birth of a child will be treated as all other leave events for the purposes of the application of the MCS leave policies.
5. If the employee is absent because of sickness or disability, MCS may require a doctor's note.
6. In case of an extended absence, employees should consult other sections of this policy and the insurance plan booklet to determine whether they are eligible for disability leave (if offered) or continued eligibility of medical benefits as applicable.

### **Employee Leave - Salary/Full-Time Paid Time Off (PTO):**

Eligible salaried employees are given one paid personal day off per percentage of salary to use throughout the school year (e.g. 100% = 10 PTO days, 40% = 4 PTO days, etc.). Any unused PTO will be paid out at the end of the school year at the current base substitute pay rate for an 8-hour work day. Excessive tardiness or absences may result in disciplinary action, up to and including termination of employment. Employees will not be paid for unused PTO leave if their employment ends prior to the end of the employment agreement for any reason.

Employees who are the subject of disciplinary action and placed on paid or unpaid leave by the school as part of a disciplinary plan or during investigation periods are required to use all available PTO time starting upon inception. In these circumstances, the School shall



## **Association Leave Policy**

apply available PTO time to regular paychecks for employees on paid or unpaid leave until available PTO time is exhausted. All employees requesting time off must complete an Employee Absence request for review and approval by the Director.

### **Employee Leave - Hourly:**

Hourly employees are paid for time worked. All employees are expected to arrive for work on-time and work when scheduled. All employees requesting time off must complete an Employee Absence request for review and approval by the Director, a minimum of two-week advance notice is requested. Excessive tardiness or absences may result in disciplinary action, up to and including termination of employment.

### **Holidays:**

School holidays include federal or state holidays, fall, winter or spring breaks and other days designated as school holidays on the MCS annual calendar. Administrative employees may be required to work holidays as determined by their supervisor or the Director and as outlined in Employment Agreements. Operations, maintenance, and custodial employees are required to work most school holidays and break periods.

### **Family and Medical Leave Act (FMLA):**

Eligible employees may take up to 12 weeks of unpaid job-protected leave within a 12-month period per the terms of the Family and Medical Leave Act (FMLA). FMLA leave is a specified and approved leave granted by Moab Charter School upon the formal written request of eligible employees. Ineligible employees granted other forms of leave for any reason are not granted approval for nor is their leave governed by or under the provisions of FMLA. Eligible employees may request FMLA leave after 12 months and/or 1250 hours of employment of service in the previous 12 months. Eligible employees must request FMLA leave with 30 days advance written notice except in times of unexpected leave. Employees may be required to submit a Statement from a Health Care Provider verifying the need for FMLA leave. Employees are required to use any and all available PTO or other leave time before beginning leave under FMLA. Employees may have additional rights including rights for eligible relatives of certain military service personnel and should refer to the Family and Medical Leave Act for additional information. Employees shall give 2 weeks advance notice before they plan to return to work.

Subject to the Plan Documents, terms and conditions of the various medical benefit plans, benefits will continue for the full period of FMLA leave. Employees who do not return to regular employment with MCS after an approved FMLA leave may be required to reimburse MCS for all benefit plan premiums or contributions paid by MCS for the employee's elected benefit plans. See *MCS FMLA Procedures for more information*.

### **Personal Leave of Absence:**



## **Association Leave Policy**

Requests for personal leave without pay are considered individually and granted at the discretion of the Director. The reason for the request, the employee's length of service, the employee's work record and the demands of the individual's job are examples of the type of factors typically considered in evaluating a request for a personal leave of absence. A request for a personal leave of absence may be granted only if the employee is not eligible for any other type of leave. Employees who are granted personal leave are still responsible to pay the employee portion of any benefit programs in which they participate. Arrangements should be made with the Director to coordinate the payment of premiums and other costs during leave periods when regular payroll withholding is not possible.

The salaries of teachers (and salaries of other employees whose salary is spread over a longer period than their work schedule) who take unpaid leave (including FMLA leave) will be prorated proportionately to the number of days worked out of the scheduled days according to work schedules, and the final, prorated payment will be made on the regular pay-day for the pay period that includes the date of the beginning of unpaid leave. When returning from leave, a new salary will be calculated proportionate to the number of work days remaining in the school year out of the total work days scheduled for the school year. The new salary shall be paid in equal installments over the regular paydays remaining in the school year.

All leaves (paid and unpaid) are granted for a specific period of time. An employee who foresees being unable or unwilling to return to work at the end of the leave period should apply for any other leave for which the employee is eligible, including an extension of the current leave. MCS reserves the right to terminate the employment of an employee who does not return to work at the end of an approved leave period.

Subject to the Plan Documents, terms and conditions of the various plans and upon MCS approval, medical benefit plans may continue for the full period of approved leave. Employees who do not return to employment with MCS after an approved leave may be required to reimburse MCS for all benefit plan premiums or contributions paid by MCS for the employee's elected benefit plans.

### **Bereavement Leave:**

A full-time employee of MCS may request a leave of absence with pay for a maximum of seven (7) consecutive working days upon the death of a member of his or her immediate family. Extended time may be requested and granted on an individual basis. Members of the immediate family are defined as: father, mother, spouse, domestic partner, child, sister, brother, grandmother, grandfather, father-in-law, or mother-in-law. Proof of death may be required.

### **Jury Duty:**

Employees summoned for jury duty will be allowed the necessary time off from work to perform this civic responsibility. Employees must give MCS 15 days advance notice. Employees will be expected to report to work during all regular hours if their presence is not required in a jury room or court. MCS may require the employee to supply documentation from



## **Association Leave Policy**

the court affirming the employee's jury duty service. Employees or the Director may ask the court to excuse an employee from jury duty if an absence would cause serious operational difficulty for the school.

### **Witness Duty:**

Employees who receive a subpoena to testify in court may be granted time off to serve as a witness for that purpose. Employees must give MCS 15 days advance notice. MCS will pay such employees regular wages if the case involves MCS, and the employee is not plaintiff to the suit. Employees are not compensated if the case does not involve the school and will use PTO hours (if available) for this absence. Employees will be expected to report to work during all regular hours if their presence is not required in a jury room or court. MCS may require the employee to supply documentation from the court affirming the employee's witness duty services.

### **Voting Leave:**

If an employee does not have three (3) or more consecutive non-working hours while the polls are open to voting, then the employee will be given up to two (2) hours to vote in any state or federal election. The employee must request such leave at least one (1) day before Election Day. The Director may determine when the employee may take leave. However, if the employee requests leave at the end or beginning of a work shift, then the Director will honor that request. The two hours shall be compensated at the employee's regular rate of pay.

### **Military Duty:**

Leaves for military service and reinstatement after performing military service will be provided in accordance with the requirements of the law (as applicable to MCS at the time the leave was granted only) as defined in the Uniformed Services Employment and REmployment Rights Act (USERRA). Employees who are absent from work in order to attend an annual encampment in a recognized reserve branch of the armed forces of the United States will receive an unpaid leave of absence of up to a maximum of two weeks per year. Employees must provide 30 days advance notice unless an emergency or classified situation dictates otherwise, upon which evidence must be provided to MCS.

Subject to the law and the Plan Documents, terms and conditions of the various plans, medical benefit plans may continue for the full period of military leave. Employees who do not return to employment with MCS after an approved military leave may be required to reimburse MCS for all benefit plan premiums or contributions paid by MCS for the employee's elected benefit plan.