

Provisions for employee absences have been established by the Georgetown County Board of Education for the welfare of the employees and for the protection of the students. No matter how well the employee prepares for a substitute, or how qualified the substitute may be, any absence of a District employee causes a loss in the education of students. For this reason, employees are urged to be present every day whenever possible.

Termination of Employment for Leave Policy Violations

The District may terminate the employment of any employee who fails to comply with the requirements of sick leave procedures, who fails to request extended leave in accordance with the established procedures, who fails to report to work at the expiration of authorized leave, or who fails to obtain an extension of previously approved leave.

An employee is subject to termination from employment with the District for misstatements of fact and/or misrepresentations of the purpose for which leave of absence is desired or the basis of which sick leave is obtained.

Sick Leave

All full-time employees are granted four (4) days of sick leave as of the first payroll of the academic school year. All full-time employees who work at least 30 hours per week accrue sick leave. Additional sick leave days will be earned at the rate of one (1) day per month October through May. Sick leave which is accrued but not used may be accumulated up to one hundred twenty days.

Sick leave may be used for absences caused by a) personal illness; b) illness in the immediate family; c) death in the immediate family; or d) personal business up to three days per year. Illness in the immediate family is defined as illness of child, spouse, stepchild, parent, or person living in the home of the employee and dependent upon said employee. In addition, pregnancies, childbirth, false pregnancy, termination of pregnancy or recovery therefrom are treated as any other temporary disability for eligibility under this policy.

Death in the immediate family is defined as death of parent, child, spouse, sister, brother, grandparent, parent-in-law, brother or sister-in-law, stepchild, child-in-law or grandchild. Sick leave for death will be limited to three (3) days except under unusual circumstances. Approval for absences beyond the three days must be secured from the principal/supervisor.

Any employee who is absent from work and does not contact his/her immediate supervisor prior to or at the beginning of the work day may be considered absent without leave. Repeated violations of this type are grounds for dismissal. Any employee who must be absent from duty because of illness shall notify his supervisor. When possible, this should be done prior to the beginning of the work day. At minimum, notice must be given during the work day. The principal or other administrator certifying the payroll may require that an employee taking sick leave for illness of any type submit a doctor's statement upon his/her return. Any employee using sick leave and who knows that he/she must use ten or more consecutive days is required to apply for FMLA leave.

Employees who have accrued sick leave and who are using it in compliance with the policy will not be terminated from employment nor shall any such employee be terminated during a continuing sick leave of less than ninety-one work days.

Sick Leave Bank for Catastrophic Illness or Accident

The District will establish for employees a sick leave bank for catastrophic illness or accident. The purpose of the sick leave bank is to provide an opportunity for paid leave for employees who experience catastrophic illnesses or accidents that require absences which exceed employees' accrued leave but do not activate long-term disability insurance provisions. The voluntary donation of one day of current sick leave to the bank by District employees each year establishes their eligibility to participate in the bank. A donor may not reclaim leave days which have been contributed. (See GCC-R).

Personal Leave

Employees may use up to three (3) sick leave days as personal leave each school year. Employees must notify their supervisor at least 24 hours in advance before absences may be taken for personal leave. A full day's salary is deducted for each absence in excess of the three allowable personal leave days per fiscal year. Principals/supervisors may deny personal leave if it is known that more than ten (10) percent of a faculty or staff will be absent on the day requested, except that approval will not be withdrawn for personal leave approved three (3) or more days in advance of the date the leave is to be used. Employees will not take personal leave, except in unusual situations, during the first and last week of the student school year, or during the administration days of state and local testing programs, unless pre-approved in writing by the Superintendent or his/her designee.

Legal Leave

Employees should notify their principal or immediate supervisor as soon as they know they are being called for jury duty or subpoenaed. The District will grant employees leave without loss of pay when employees are summoned for jury duty or subpoenaed in the line of duty to represent the District as a witness or defendant. Any jury fee or travel payment shall be retained by the employee. An employee should submit a copy of a jury duty summons or subpoena to his/her principal or supervisor. Whenever a prospective juror or a juror is dismissed before the end of the working day, he/she should return to his/her official duties

If an employee must appear in court for any reason other than the above, the District will deduct full pay from his/her salary or, if eligible, annual or personal leave days.

Vacation Leave

Effective June 30, 1997, two hundred forty (240) day employees will accrue one (1) day per month of vacation per fiscal year. Vacation days may be accrued up to a maximum of forty (40) days. The use of all vacation leave must be approved by the immediate supervisor in advance.

Emergency Leave

For emergencies and unusual situations not covered by the leave policies of the District, an employee may request the Superintendent or his/her designee to authorize the use of sick leave days. Such requests must be submitted in writing through the principal or supervisor to the Superintendent or designee. The Superintendent or designee shall have discretion whether to grant emergency leave.

Extended Personal Leave

Extended personal leave without pay may be approved for employees of the District as long as they have at least five (5) years of continuous service with the District and have exhausted all other leave. Extended personal leave is subject to the following stipulations:

1. All requests for leaves of absence must be submitted to the Superintendent and notification of desire to return to the District must be given to the Human Resources Office no later than April 1 of the following year.
2. The immediate supervisor/principal must recommend the extended personal leave request to the Superintendent.

3. Extended personal leave must be formally approved by the Board.
4. Each request will have to be addressed on an individual basis due to highly specialized areas of instruction, training, and skills of employees.
5. At termination of the leave of absence, the employee will be guaranteed a position in the Georgetown County School District. No guarantee is made that employees will be returned to the same or a similar position (including but not limited to salary and benefits) that the employee previously had, although efforts will be made to return the employee to the type of work for which she/he is certified or skilled.
6. No guarantee can be made that the employee will return to the school or location in which they were formerly employed, although efforts will be made to place them in that school or location.

Military Leave

Employees of the District shall be entitled to military leave without loss of pay, seniority, or efficiency rating, when attending military encampments or schools for training, under proper authority, and on all other occasions when ordered to active duty. This leave applies to members of the South Carolina National Guard, the United States Naval Reserve, the Officers Reserve Corps, the Enlisted Reserve Corps, the Reserve Corps of the Marines, the Coast Guard Reserve, and the United States Air Force Reserve.

Employees shall be entitled to such leave of absence for a period not exceeding fifteen (15) days in any one school year during which they may be engaged in training or other such duties ordered by the Governor, the War Department, the Treasury Department, the Navy Department, or the Air Force Department.

Employees are expected to request their training period during a time when the academic school year is not in session. The request for military leave must be submitted to the Executive Director for Human Resources and must be accompanied by a copy of the duty order.

The District administration complies with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and the Code of Laws of S.C. in its handling of military leave and related matters, both of which take precedence over the District's policy on military leave.

Family and Medical Leave Act

EMPLOYEE LEAVES AND ABSENCES

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The Board will provide leave to eligible employees consistent with the Family and Medical Leave Act of 1993 (FMLA). Eligible employees are entitled to up to 12 work weeks of unpaid family and medical leave during the designated 12-month period. The District will continue to pay the District's share of the employee's health benefits during the leave. In addition, the District will restore the employee to the same or a similar position after the termination of the leave in accordance with Board Policy.

In complying with the FMLA, the District will adhere to the requirements of the Americans with Disabilities Act as well as other applicable federal and state laws.

(For further information, please refer to administrative rule GCC-R.)

LEGAL REFERENCES

- A. S.C. CODE, 1976 AS AMENDED:
 - 1. SECTION 59-1-400 - SICK LEAVE FOR PUBLIC SCHOOL EMPLOYEES.
- B. S.C. CODE, 1976, AS AMENDED:
 - 1. SECTION 59-1-400 - SICK LEAVE FOR PUBLIC SCHOOL DISTRICT EMPLOYEES.
 - 2. P. L. 103-3 AND 29 CFR PART 825 - THE FAMILY AND MEDICAL LEAVE ACT OF 1993.
- C. S.C. CODE, 1976, AS AMENDED:
 - 1. SECTION 8-7-20 - REQUIRES GRANTING OF MILITARY LEAVE, WITHOUT PAY, UP TO FIVE YEARS.
 - 2. SECTION 8-7-90 - REQUIRES FIFTEEN DAYS PER YEAR LEAVE, WITH PAY, FOR MEMBERS OF NATIONAL GUARD AND RESERVE UNITS OF THE VARIOUS ARMED FORCES. ALSO GRANTS AN ADDITIONAL 30 DAYS OF LEAVE WITH PAY IN EMERGENCY SITUATIONS.
 - 3. SECTION 25-1-2250 - EMPLOYEES ENTITLED TO LEAVE, WITH PAY, WHEN SERVING IN NATIONAL GUARD.
- D. U.S. CODE
 - 1. TITLE 38 U.S. CODE, CHAPTER 43, SECTIONS 4301-4333, PUBLIC LAW 1030353- THE UNIFORM SERVICES EMPLOYMENT AND REEMPLOYMENT ACT OF 1994 (USERRA)