

ANNUAL LEAVE

The Board of Education recognizes there may be times when an employee is unable to fulfill the duties of his/her position due to illness or to conduct personal business that cannot be accomplished outside of work hours. Therefore, the Board wishes to provide a system of paid leaves that best serves the needs of the district and its employees. The Board understands that because personal needs vary, flexibility is desirable in the administration of paid leaves.

Full-time employees shall be entitled to one day of paid annual leave for each month worked. Part-time employees shall be entitled to annual leave on a pro-rated basis. Annual leave shall be available for employee use at the beginning of the employee's work year. Annual leave shall be administered in accordance with the regulation that accompanies this policy, unless otherwise provided by contract or negotiated agreement.

Annual leave may be taken for personal illness, personal business or for the necessary care of a member of the employee's immediate family. For annual leave purposes, the term "immediate family" includes a person who is related by blood, marriage, civil union, or adoption, anyone who lives in the employee's household plus persons not in the employee's household who are the employee's children, step children, daughters-in-law, sons-in-law, parents, step-parents, parents-in-law, grandparents, grandparents-in-law, grandchildren, brothers, sisters, brothers-in-law, sisters-in-law, spouse, partner in a civil union or domestic partner and others with whom the employee has an unusually close relationship. Exceptions may be made by the superintendent.

After five consecutive work days of absence, the Board may inquire into the nature and anticipated duration of the leave. Evidence of illness may be required for approval of annual leave pay. Additionally, the Board, at its own expense, may require a physical examination by a physician chosen by the Board.

Annual leave may be accumulated in accordance with district procedures. Upon termination of employment, any annual leave that has been used but not earned shall be deducted from the employee's final paycheck. Staff members who terminate employment or retire shall be reimbursed for accrued annual leave in accordance with district procedures.

At the employee's discretion, one annual leave day may be donated to the sick leave bank.

Additional leave during a public health emergency

In addition to the annual leave generally accrued, on the date a public health emergency is declared the district will supplement each employee's annual leave as necessary to ensure that full-time employees who work 40 hours or more in a week may take at least 80 hours of annual leave and that employees who work fewer than 40 hours in a week may take at least the greater of the number of hours the employee is scheduled to work in a 14-day period or the average time the employee works in a 14-day period. The district may count an employee's unused accrued leave toward the supplemental annual leave.

An employee may use the supplemental annual leave until 4 weeks after the official termination or suspension of the public health emergency. Leave under this provision may be taken for the following reasons:

- self-isolation or seeking medical care or treatment due to a diagnosis or symptoms of a communicable illness that is the cause of a public health emergency;
- caring for a family member who is self-isolating or seeking medical care after being diagnosed or is experiencing symptoms of a communicable illness that is the cause of a public health emergency;
- a determination from a local, state, or federal public official or health authority that an employee or a member of the employee's family that the employee cares for poses a risk to the health of others;
- caring for a family member when the individual's school or place of care has been physically closed due to a public health emergency; or
- an employee's inability to work because of a health condition that may increase susceptibility to or risk of contracting/transmitting a communicable illness that is the cause of a public health emergency.

Documentation is not required to take annual leave during a public health emergency.

Nondiscrimination

The Board, the superintendent, other administrators and district employees will not unlawfully discriminate, take adverse action, or retaliate against any employee who takes, attempts to take, or supports taking leave in accordance with this policy, files a complaint or informs any person about an alleged violation of the Healthy Families and Workplaces Act, or participates in an investigation, hearing, or proceeding related to such matter.

Notice

To reduce unlawful discrimination and to ensure a healthy workplace environment, the administration is responsible for providing notice of this policy and the poster created by the Colorado Department of Labor and Employment to all district schools and departments. The policy must be referenced in employee handbooks and otherwise be made available to all staff through electronic or hard-copy distribution.

Adopted prior to 1985
 Revised February 18, 1987
 Revised August 4, 1993
 Revised July 20, 1994
 Revised March 1, 1995
 Revised August 1998
 Revised June 2, 1999
 Revised May 21, 2008
 Revised January 6, 2010
 Revised and recoded May 16, 2012
 Revised November 13, 2013
 Revised February 3, 2021

Legal ref.: C.R.S. 14-15-101 et seq. (Colorado Civil Union Act)
 C.R.S. 2-4-401 (definition of immediate family)
 C.R.S. 8-13.3-401 et seq. (Healthy Families and Workplaces Act)

Cross refs.: GBGF, Federally-Mandated Family and Medical Leave
 GBGH, Sick Leave Bank

Contract refs.: TEA Agreement - Article 9, Leaves: Section 9-6, Annual Leave; Section 9-10, Sick Leave Bank; Section 9-11, Family and Medical Leave

