



Questions and Answers Concerning Leave • 2016

Sick Leave

Q: How do I earn sick leave?

A: Leave is accrued using this formula: $(\# \text{ of days worked}) \div 19 \times 1.25$; generally 1.25 days per month. Leave is fronted to all actively working employees at the beginning of the school year.

Q: How many days of sick leave can I use for personal reasons?

A: Of your sick days, you may use 3 days per school year for any personal reason. The personal day must be approved by your supervisor in advance.

Q: So, my personal days are not in addition to my earned sick days?

A: No. The three personal days are actually sick days that you can use for any personal reason.

Q: Is it true that if I don't use my three personal days, I will lose them?

A: No. If you do not use your three sick days for a personal reason, then they stay in your account to increase your balance of sick days available.

Q: Is it true that my balance will not carry over more than 120 sick days?

A: Correct. Any leave balance up to 120 days will carry over from one year to the next and then new leave days earned will be added. However, all unused leave days over 120 are still reported to TRS (teacher retirement) for inclusion in additional retirement computations which can affect early retirement or additional retirement benefits.

Q: If my spouse works for the system and needs additional sick days, can I donate mine?

A: An employee may donate up to 10 days to a GSCS spouse in need (one time only).

Q: If I have a death in my immediate family, can I use sick days?

A: Five sick days may be used for bereavement of an immediate family member as outlined in the policy.

Q: What happens if I use more than three days for personal reasons?

A: Remember, personal leave must be approved by your supervisor. Supervisors can approve 2 days of leave without pay for any personal reason. Any absences for personal reasons beyond three per year will result in leave without pay and could be grounds for termination.

Q: When can I use a sick day?

A: For your own personal illness or scheduled doctor's appointment or that of an immediate family member or for bereavement of an immediate family member.

Q: How do I report that I am using a sick day?

A: All principals or department heads have a procedure for reporting absences; you should follow the proper procedure that pertains to you. In general, you should notify your supervisor or designee before your shift starts and as early as you can so a substitute can be lined up to cover your class (teachers or certain paras). Your absence should be put into AESOP as soon as possible as a sick day.

- Q: If I have used all three of my sick days for personal reasons, can I just put in for a sick day in AESOP even if I am not actually sick?
- A: No. That is falsifying official documentation and could result in termination.
- Q: What about a court date or jury duty?
- A: No leave is deducted for jury duty or for your participation in a work-related legal appearance; however the absence must be recorded in AESOP. Proper documentation is required. However, personal legal issues require usage of personal days.
- Q: Can my principal or supervisor deny my request to use a personal day?
- A: Yes. In general, personal days should not be approved during pre/post planning, teacher workdays, system-wide testing administration, the day before or after a holiday or the last two weeks of school or during any time that your principal or supervisor deems as a critical time for your attendance.
- Q: What if I am sick the day after or before a holiday or break?
- A: Your principal or supervisor may require a doctor's excuse.
- Q: If I call in sick, can my principal/supervisor ask what is wrong with me?
- A: Your employer has the right to ask if you have a serious medical condition (lasting three or more days) that prohibits you from performing your job. This information is an indication of a need for Family Medical Leave.

Family and Medical Leave:

- Q: What is Family Medical Leave?
- A: The Family and Medical Leave Act is a Federal Act that is defined by law and serves to protect the employment of employees who need time due to serious medical conditions.
- Q: How many days absent necessitate the need for FMLA paperwork?
- A: Three consecutive days for the same serious medical condition (not a cold or flu) or a serious medical condition that requires intermittent absences (for example: migraines).
- Q: What should I do to protect my job if I or my spouse, parent or child (under age 18) has a serious medical condition?
- A: Contact your principal/supervisor and Human Resources. You and your physician will complete the paperwork and return to Human Resources.
- Q: How many days will FMLA allow me to be absent?
- A: Sixty days per year.
- Q: Is every employee eligible for FMLA?
- A: No—only benefitted employees who have worked the prior 12 months for GSCS and worked at least 1250 hours during the prior twelve months.
- Q: If I take FMLA, does that mean I can use sick leave?
- A: The two are not related. FMLA guarantees an eligible employee the right to take time away from work under certain conditions. It does not address pay at all. Sick leave can be used under the guidelines of Leave Policy GARH. If eligible under the policy to use sick leave, we do require the concurrent use of sick leave during FMLA.
- Q: What if I am expecting a baby; how does that work?

- A: You should complete your FMLA paperwork in time to cover absences for doctor's appointments. You should work until your physician provides documentation for the medical necessity of your absence. After the birth, you will need to provide documentation from your 6-week check-up. You may take 60 days of leave (12 weeks); however, you may only use sick days for the days that your doctor indicates you are incapacitated due to the pregnancy or for any days that you are needed to care for the baby due to illness or complications.
- Q: What if my wife has a baby, and I want to take time off under FMLA?
- A: You may but how much time you can take depends on whether or not your wife works for GSCS. If you are both employees of the system, then you can both take a combined total of 60 days (12 weeks). If she is not a GSCS employee, you may take the full 60 days; however, you may only use sick leave the day of the birth or if there are complications or a medical reason why you are needed to help provide care for either your wife or your child. This does not include well-baby, child care (babysitting).
- Q: What if my surgery is elective (not medically necessary to treat a serious medical condition)?
- A: If you plan to have a surgical procedure that is not medically necessary but rather something that will enhance your appearance, you will need to schedule this during a time when school is not in session.

Sick Bank:

- Q: What is the Sick Bank?
- A: It is a benefit that is offered to employees whereby they can elect to donate one sick day initially, then one day annually (if assessed) to the sick bank and by doing so become eligible to apply for additional sick days should they need them.
- Q: How many days could I possibly get if I qualified?
- A: A maximum of 60 days within a 12 month period (3 units of 20 days).
- Q: Could I donate sick days to a coworker who is not a member of the sick bank?
- A: No. The coworker would have to be a member to apply.
- Q: What if I am out due to a job-related injury—could I apply for sick bank days?
- A: No. Worker's compensation covers absences for work-related injuries at 66 2/3% of your income.
- Q: When can I join the Sick Bank?
- A: At the beginning of every school year a notice is sent out to employees inviting them to join after one year of employment.

Unpaid Medical Leave:

- Q: What if I have exhausted all FMLA and sick days and yet I am still not able to come back to work?
- A: You can apply for an additional 90 working days of Unpaid Medical Leave.
- Q: Does Unpaid Medical Leave change my employment status or my benefits?
- A: You are still employed but your job is considered vacant and can be posted. You will be responsible for paying the entire cost of your benefits; including the system's portion of health care premiums.