

## Staff Sick Leave

The Board of Education (the “Board”) for Mapleton Public Schools (the “District”) recognizes that there may be times when an employee is unable to fulfill the duties of their position due to illness. Therefore, paid sick leave is provided for full time employees in accordance with this policy and/or their collective bargaining agreement.

### Accrual and Use

Paid sick leave shall be granted by the District to all employees consistent with their contract and employee agreement. Sick leave may be taken for the following reasons:

- personal mental or physical illness, injury, or health condition, or the need to obtain medical care;
- the necessary care and attendance for the employee’s family member who has a mental or physical illness, injury, or health condition, or the need to obtain medical care;
- seeking medical attention or related services if the employee or a member of the employee’s family has been the victim of domestic abuse, sexual assault, or harassment;
- the district has been ordered to close by a public official due to a public health emergency; or,
- the school or childcare provider for the employee’s child has been ordered to close by a public official due to a public health emergency and the employee needs to be absent from work to care for their child.

For sick leave purposes, the term “family member” means a member of the employee’s immediate family (a person who is related by blood, marriage, civil union, or adoption), a child to whom the employee stands *in loco parentis* or a person who stood *in loco parentis* to the employee when the employee was a minor, or a person for whom the employee is responsible for providing or arranging health or safety-related care. Exceptions may be made by the Superintendent (or designee).

Documentation may be required for approval of four or more consecutive paid sick days. Any health or safety information relating to an employee or employee’s family member will be maintained on a separate form and in a separate file from other personnel information, treated as confidential medical records, and will not be disclosed except to the affected employee or with the express permission of the affected employee.

### **Reinstatement Upon Rehiring**

If an employee separates from employment with the District and is rehired by the District within 6 months after the separation, the District must reinstate any paid sick leave that the employee had accrued but not used during the employee's previous employment if that accrued paid sick leave had not been paid out at the time of the separation.

### **Payment Upon Retiring**

An employee who is eligible for retirement in accordance with the Public Employees Retirement Association will be paid a percentage of any unused days consistent with teachers' negotiated agreement or other employee agreements.

### **Additional Leave During a Public Health Emergency**

In addition to the paid sick leave generally accrued, on the date a public health emergency is declared, the District will supplement each employee's accrued paid sick 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 paid sick 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 paid sick leave toward the supplemental paid sick leave.

An employee may use the supplemental paid sick 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 pose 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 a communicable illness that is the cause of a public health emergency.

Documentation is not required to take paid sick 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 paid sick 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, District 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 August 24, 2021 by the Board of Education for Mapleton Public Schools.*

### **LEGAL REFERENCES:**

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 REFERENCES:**

GBGF: Federally-Mandated Family and Medical Leave

GBGH: Sick Leave Bank

GBGL: Staff Victim Leave

GBJ: Personnel Records and Files