

April 10, 2019

To All District Employees:

In recent months the District has received several inquiries regarding the use of Personal Necessity and Confidential Leaves. The valid reasons for each, and procedures for their use, are outlined in both the CSEA and the CUTA Contracts.

While it is impossible to address every unique situation in one document, the following "Frequently Asked Questions" section is being provided to help clarify some of the more common questions and/or misunderstandings. It is being provided as a joint communication from CSEA, CUTA, and the District.

There are several categories of leaves outlined in each contract. Please note that this document pertains ONLY to Personal Necessity Leave and Confidential Leave. An individual employee should refer to his/her contract, Union Representative, or the District's Personnel or Payroll Departments for questions about other types of leaves.

FREQUENTLY ASKED QUESTIONS:

Q: What is Personal Necessity Leave?

Upon prior approval, current and accumulated sick leave may be used by the employee at his/her election, in cases of personal necessity.

The valid reasons for which Personal Necessity Leave may be used are very specific, and outlined in the contract. The wording and format varies slightly between the CUTA and the CSEA contracts; each employee should refer to his/her own contract for specifics. In general terms, Personal Necessity Leave may be used for reasons such as:

- death of an immediate family member,
- serious illness of an immediate family member,
- accident involving the employee or member of his/her family
- Required appearance in court
- Paternity leave
- Illness of daycare provider
- Such other reasons as may be approved by the Director of Personnel

Q: What are valid "such other reasons" for which Personal Necessity Leave may be approved by the Director of Personnel?

"Such other reasons" is a "catch all" because a specific situation may not always fall explicitly or exactly into one of the listed reasons under Personal Necessity Leave. The circumstances, however, must be quite similar in spirit and purpose with the listed reasons, i.e. serious illness or accident, court appearance, paternity reasons, and similar situations.

Q: How is a “Confidential Day” similar and different from a “Personal Necessity Day”?

A Confidential Day is a sub-category of Personal Necessity, but with some additional restrictions. Because the wording is different in each contract, each employee should refer to his/her contract for specifics. General guidelines and requirements are as follows:

- Up to 3 Personal Necessity Leave days may be taken as Confidential Days, per school year.
- Confidential Days do not carry over or accumulate from one school year to the next.
- An explanation is not required to take a Confidential Day. Simply list it as “Confidential.”
- A request for a Confidential Day must be made a minimum of 48 hours (2 work days) prior to the requested leave date. The Friday before a Monday request is not considered sufficient time.
- A Confidential Day shall not normally be granted to extend a vacation period, school break, or holiday.

Q: Can an exception be made regarding taking a Confidential Day before or after a school break/holiday?

A Confidential Day shall not normally be granted to extend a vacation period, school break, or holiday. The authorization of both the site administrator (or the director of the employee’s department) and Director of Personnel is required for an exception to be made. The decision will be based on unique, individual circumstances. Such a decision is on a “case-by-case” basis and does not serve as precedent for future requests.

In making such a decision, both the unique employee situation as well as the operational needs of the District and our students will be considered.

Q: I have heard that “a significant life event” is considered a valid reason to request that an exception be made and a Confidential Day granted to extend a school break. If this is true, what does it mean?

The terms “significant life event” or “life changing event” are not a part of the contract, but have been used over the years in an attempt to describe the types of situations which may merit consideration. For further clarification, the District considers the following types of situations to merit consideration (examples only):

- College graduation of a member of the immediate family
- Marriage ceremony of a member of the immediate family
- An out-of-town 90th birthday celebration of a parent/grandparent
- Other similar, unavoidable situations

The following situations are not normally considered valid reasons for the District to make an exception and grant confidential days to extend a school break (examples only):

- Wanting to extend a vacation beyond the days of the school break/holiday
- Airline or other tickets are cheaper on a school day
- Another family member already made arrangements
- The trip has been planned for a long time
- Not aware of the school attendance/school break dates on the district calendar
- Other similar, avoidable situations

As can be observed in the above examples, consideration will only be given when the event is of significant life importance, and the timing of its occurrence is virtually unavoidable.

Q: Can I take time off if I don't have any Confidential Days left or a qualifying personal necessity?

An employee is contracted for a set number of days and hours, and the primary reason for this schedule revolves around the needs of the District and our students. There is no expectation that the District will grant a request for time off when no valid leave option or vacation is available. At the District's discretion, such a request may be considered in a unique, exceptional circumstance, which is considered case by case and does not serve as precedent for any future considerations. Further, if such a day is granted, it will usually be at full pay dock (non-paid), and the employee may not receive a full year's credit with their retirement system for that year because the retirement system will not consider a full year's contract fulfilled. The decision will be based on the unique and exceptional nature of the circumstances, but keep in mind that the operational needs of the district and our students is our primary concern and priority.

Q: What are the procedures for requesting a Personal Necessity Day, and who should I contact?

The specific guidelines are outlined in each contract. The general procedures are as follows:

- With the exception of an emergency, prior approval must be granted.
- The requested leave must be entered into the District's "e-Schools Sub Finder" program prior to the leave, even if no substitute is required.
- Upon return, an absence report must be filed using the District's "Informed K12" online form.

We hope this document provides answers to the questions that have most frequently been asked. If you need further assistance, there are several sources that can help you including the Personnel Department, the Payroll Department, administrators and directors, school secretaries, and local union leaders.



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