

PERSONNEL

Absences and Leaves

Sick Leave

VRS Hybrid Plan Participants

Definitions

1. Sick leave

The absence from duty by an employee as a result of any of the following:

- a. Personal illness or doctor's quarantine
- b. Incapacitating personal injury
- c. Personal scheduled medical appointments (only if the appointment cannot be scheduled at a time other than a regular work day)
- d. Caring for an ill member of the employee's immediate family (parent, spouse, child); or an individual with unusually strong personal ties to the employee
- e. Death in the employee's family (immediate family, and including sibling, parent-in-law, son or daughter-in-law, brother or sister-in-law, nephew, niece, grandchild, grandparent, uncle or aunt); or an individual with unusually strong personal ties to the employee

2. Employee

Contracted employee working 35 or more hours per week and covered by the Virginia Retirement System Hybrid Retirement Plan.

General Rules

1. Accumulation

- a. Sick leave is accumulated according to contract type as follows:

TYPE OF CONTRACT	DAYS PER YEAR
Full time ten-month (less than 220 days)	10
Full time eleven-month (220 to 259 days)	11
Full time twelve-month (260 days)	12

- b. Only employees under the VRS Hybrid Plan are eligible.
- c. Sick leave earnings for less than a full year of employment shall be prorated based on actual months completed or contracted to complete. This applies to those employees who do not begin work at the start of the school year and to those that terminate employment prior to the end of the school year.
- d. For teachers and administrators, accumulated sick leave balances plus days allowable for the coming year shall be in effect at the time the employee is to report for duty.
- e. All other contracted employees must report for duty before earning sick leave. Leave will be posted on a monthly basis.
- f. Sick leave may not be taken until earned and may not be advanced.
- g. Sick leave days shall be earned and credited as long as an employee is in a paid status. Unpaid FMLA and workers' compensation are not considered paid status for the purpose of earning sick leave.

- h. Sick leave may accumulate from year to year with a maximum accumulation of 90 days. Except as provided at retirement, no compensation for unused accumulated sick leave shall be provided to employees who terminate employment with Augusta County Schools.
- i. At the time an employee is hired, the School Board shall accept transfer of up to 90 days of sick leave from other Virginia school divisions that participate in the State sick leave plan.
- j. Virginia Retirement System Plan 1 and Plan 2 employees who elect to opt into the Hybrid Retirement Plan between January 1, 2014 and April 1, 2014 may transfer up to 90 days accumulated sick leave to their "hybrid" sick leave account.
- k. Accumulated sick leave will be used to supplement periods of 80% or 60% income replacement disability payments to obtain 100% pre-disability income.

2. Bereavement Leave

- a. A maximum of five days' leave may be used for death in the family.
- b. Extended leave beyond the maximum amount must be certified by a physician as medically necessary.

3. Documentation

- a. Employees shall notify the appropriate supervisor as soon as impending absence is known.
- b. The School Board or its designee, at its sole discretion may require medical documentation from a licensed physician or other accredited practitioner certifying that the employee was unable to perform his or her duties during the period of absence or to verify the employee visited the physician's office for a specific appointment.
- c. Employees must submit the appropriate form to request leave and/or certify the absence.
- d. Teachers, administrators, and any non-exempt employee not utilizing the school division time clock shall report absences in increments of one-half day on the Absence/Leave Report.
- e. Support personnel utilizing the automated time clock system will document sick leave on the monthly time sheet.
- f. Substitutes shall not be called for absences of less than one-half day.

4. Return to Work

- a. For the employee's protection and the protection of co-workers, an employee may be required to present a written release to return to work, including any restrictions that may apply, from a licensed physician or other accredited practitioner prior to resuming employment. An employee will only be allowed to return to work if he or she is able to perform the essential functions of the job.

5. Family and Medical Leave

- a. For those sick leave absences that qualify under the Family and Medical Leave Act (Regulation 5.330), leave must be requested by submitting the Augusta County Schools FMLA Request Form and Medical Certification Form. The forms are available on the School Board web site.
- b. Accumulated sick leave will be posted for any portion of FMLA leave deemed medically necessary.
- c. For eligible employees, sick leave used beyond four consecutive days will automatically be designated as Family and Medical Leave Act (FMLA) leave. All FMLA leave shall run concurrently with sick leave used.

- d. The employee or his or her supervisor shall promptly notify the Benefits Office of absence due to long term illness, surgery or other medical emergencies which may qualify under FMLA so that proper documentation can be obtained.
- e. Leave for the birth of a child qualifies under FMLA for both expectant parents. The School Board allows a new father to take five (5) working days immediately after the birth or adoption of a child using sick leave (if leave is available). For additional time beyond five days, only the portion of leave deemed medically necessary by a physician may be posted to sick leave. Remaining FMLA requested leave will be posted to compensatory leave, personal leave or vacation leave if available, then becomes unpaid leave.
- f. Maternity leave benefits for the new mother are covered under Regulation 5.370.

6. Short-Term Disability

- a. Employees enrolled in the VRS Hybrid Retirement Plan are automatically members in the Virginia Local Disability Program (VLDP). The VLDP is a Short Term Disability program designed to provide income protection if the employee becomes disabled and is unable to work. Benefits are provided for non-work related and work related disabilities. Benefit terms and conditions are outlined in the VLDP program highlights included in this regulation.
- b. Accumulated sick leave will be posted during periods of Short Term Disability to cover the initial 7-day waiting period and for the difference between the amount received under the VLDP benefit schedule and the employee's normal pay. The combination of Short Term Disability benefit payments and sick leave pay may not exceed 100% of the normal base pay amount.
- c. Short Term Disability benefits are administered by a Third Party Administrator (TPA) selected by VRS.
- d. Short Term Disability benefits are 100% funded by the Augusta County School Board; therefore taxes are deducted through payroll as established by IRS regulations.
- e. The Short Term Disability benefit period may exceed the period established under the Family and Medical Leave Act. Nothing in the Short Term Disability plan extends FMLA benefits beyond those provided by law.

7. Long-Term Disability

- a. Long-Term Disability benefits provide income replacement for employees who become disabled and unable to work for an extended period of time.
- b. Upon exhausting all Short Term Disability benefits, an employee may file a claim for benefits under the Long-Term Disability plan. The claim process is outlined in the VLDP guide located on the VRS website. Approval of Long-Term Disability benefits rests solely with the insurance company.
- c. Long-Term Disability benefits are paid to the employee by the TPA. Non-work related Long-Term Disability benefit payments are fully taxable.

8. VIRGINIA LOCAL DISABILITY PROGRAM HIGHLIGHTS

	Short-Term Disability	Long-Term Disability																														
Eligibility	<ul style="list-style-type: none"> • First day benefit for work-related claim • 1-year waiting period for non-work related claim 	School employee participating in the Hybrid Retirement Plan																														
Benefit Amount	<p><i>Days of Income Replacement: Non-Work Related Disability</i></p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;">Months Continuous Service</th> <th style="text-align: center;">Work days at 100%</th> <th style="text-align: center;">Work days at 80%</th> <th style="text-align: center;">Work days at 60%</th> <th style="text-align: center;">Total STD Paid Days</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">0-12</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td style="text-align: center;">13-59</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">125</td> <td style="text-align: center;">125</td> </tr> <tr> <td style="text-align: center;">60-119</td> <td style="text-align: center;">25</td> <td style="text-align: center;">25</td> <td style="text-align: center;">75</td> <td style="text-align: center;">125</td> </tr> <tr> <td style="text-align: center;">120-179</td> <td style="text-align: center;">25</td> <td style="text-align: center;">50</td> <td style="text-align: center;">50</td> <td style="text-align: center;">125</td> </tr> <tr> <td style="text-align: center;">180 or more</td> <td style="text-align: center;">25</td> <td style="text-align: center;">75</td> <td style="text-align: center;">25</td> <td style="text-align: center;">125</td> </tr> </tbody> </table>	Months Continuous Service	Work days at 100%	Work days at 80%	Work days at 60%	Total STD Paid Days	0-12	0	0	0	0	13-59	0	0	125	125	60-119	25	25	75	125	120-179	25	50	50	125	180 or more	25	75	25	125	<p>Monthly long-term disability benefit:</p> <ul style="list-style-type: none"> ▪ 60% of pre-disability earnings ▪ 80% for catastrophic condition <p>Long Term Disability benefit may be reduced by any earnings while disabled including workers' comp and social security. Total benefit payable on a monthly basis will not exceed 100% of pre-disability earnings.</p>
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Taxation of Benefit	<ul style="list-style-type: none"> • Non-work related benefits – fully taxable • Work-related benefits – non taxable 	<ul style="list-style-type: none"> • Non-work related benefits – fully taxable • Work-related benefits – non taxable 																														
Elimination Period	7 days once claim is approved (may be waived for catastrophic or chronic condition)	Satisfy Short Term Disability seven-day elimination period and receive 125 work days of Short Term Disability benefits.																														
Benefit Duration	125 paid work days	<p>Based on age when the disability occurs. Long Term Disability benefits are payable while you continue to meet the disability definition, up to the maximum eligibility. Maximum length:</p> <ul style="list-style-type: none"> ▪ Age 60-64: Five years from date disability benefit begins ▪ Age 65-68: Until age 70 ▪ Age 69 or older: One year from the date disability benefit begins 																														