

## **POLICIES PERTAINING TO OUR EMPLOYEES**

### **LEAVE & ABSENCE FROM DUTY**

Employees taking leave or absence from duty shall do so only in compliance with school policy and procedure. Failure to return to duty promptly after an approved leave of absence shall be cause for disciplinary action up to and including termination of employment.

Employee leave shall include:

1. **Family Medical Leave Act:** Qualifying employees shall be entitled to leave in accordance with the Family and Medical Leave Act of 1993. The following policies and procedures shall apply regarding FMLA leave: (See Personnel Policies Handbook.)
2. **State Military and Armed Forces Reserve Short-Term Leave:** An employee of the School who is a member of the state military forces (the Texas National Guard, the Texas State Guard, and other active militia or military forces organized under state law), or a reserve component of the Armed Forces, is entitled to a leave of absence from his or her duties on a day on which the person is engaged in authorized training or duty ordered or authorized by proper authority. During a leave of absence the employee may not be subjected to loss of time, efficiency rating, vacation time, or salary. Leaves of absence may not exceed 15 days in a Federal fiscal year. An employee returning from such leave of absence shall be returned to the position that the employee held when ordered to duty.
3. **Federal and State Military Long-Term Leave:** An employee who leaves the employment of the School to enter active military service is entitled to be re-employed in the same position held at the time of the induction, enlistment in, or order to, active military service or to a position of similar seniority, status, and pay. To be entitled to such re-employment, the employee must be (a) discharged, separated, or released from active military service under honorable conditions not later than the fifth anniversary of the date of induction, enlistment, or call to active military service, and physically and (b) mentally qualified to perform the duties of that position. An employee who cannot perform the duties of his original or similar position because of a disability the employee sustained during military service is entitled to be re-employed in a position that the employee can perform, and that has like seniority, status, and pay as the former position, or the nearest possible seniority, status, and pay to the former position. An employee veteran eligible for re-employment under the foregoing conditions, must apply for re-employment not later than the 90th day after the date the veteran is discharged or released from military service under honorable conditions. An employee veteran re-employed under this Policy may not be discharged from the position without cause before the first anniversary of the date of re-employment. An employee veteran re-employed under this Policy is considered to have been on furlough or leave of absence during the time the individual was in military service and may participate in retirement or other benefits to which a public employee is or may be entitled.

#### **Religious Leave:**

The School shall grant leave requests for religious observances and practices except when such requests cannot be reasonably accommodated without undue hardship on the conduct of

the School's operations. Such leave shall be unpaid unless other paid leave is available under School Policy and is requested by the employee.

**Compliance With Subpoena:**

No employee shall be discharged, disciplined, or penalized in any manner because the employee complies with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding.

**Bereavement Leave:**

The School shall grant up to three days of bereavement leave to regular full time employees for death of an immediate family member, if requested.

**Paid Time Off (PTO):**

Paid time off (PTO) will be provided in lieu of annual leave or sick leave. PTO must be requested in advance and granted upon the supervisor's approval, unless it's an unanticipated illness or emergency. The amount of PTO granted is according to the Personnel Policies and Operational Policies Handbook.

**Date Adopted: November 4, 2000**  
**Date Amended: March 5, 2005**