

# DUVAL COUNTY PUBLIC SCHOOLS

## LEAVE OPTIONS

Below you will find an overview of the available leave options that are offered through the district.

### **Emergency Paid Sick Leave (Families First Coronavirus Response Act – H.R. 6201)**

H.R. 6201 requires employers to provide *each* employee paid sick time to the extent that the employee is unable to work due to one of the following reasons:

1. The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19.
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
4. The employee is caring for an individual who is subject to an order as described in 1 above or has been advised as described in 2 above.
5. The employee is caring for a son or daughter of such employee if the school or place of care of the son or daughter has been closed, or the child care provider of such son or daughter is unavailable, due to COVID-19 precautions.
6. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

Employees will be paid their full wages, not to exceed \$511 per day and \$5,110 in the aggregate, for reasons **1, 2, and 3 above**.

Employees will be paid two-thirds of their wages, not to exceed \$200 per day and \$2,000 in the aggregate, for reasons **4, 5, and 6 above**.

The number of hours of paid sick leave through the Emergency Paid Sick Leave Act to which an employee is entitled shall be as follows:

- Full-time employees – 80 hours
- Part-time employees – a number of hours equal to the number of hours the employee works, on average, over a 2-week period

### **Emergency Family and Medical Leave Expansion Act (Families First Coronavirus Response Act – H.R. 6201):**

Amending traditional Family and Medical Leave Act, employees who may also use leave when they are unable to work (or telework) due to a need for leave to care for their son or daughter **under 18 years of age** of such employee if their *child's* school or place of care has been closed, or the child care provider of such son or daughter is unavailable, due to a public health emergency. Adult children who are incapable of self-care because of a mental or physical disability may also qualify.

- The leave applies to *all* employees who have been employed *by DCPS* for at least 30 calendar days.
- The first 10 days for which an employee takes *EFMLEA* leave could be unpaid leave, or the employee could choose to substitute any accrued vacation, personal, or sick *leave (including Emergency Paid Sick Leave, see above)*.

- After the initial 10 days, the employee *applying for EFMLEA leave* could receive paid leave based on an amount that is not less than two-thirds (2/3) of an employee's regular rate of pay and the number of hours the employee would otherwise be normally scheduled to work.

### **Sick Leave**

Following the initial month of employment, entitled employees earn one (1) day of sick leave per month of employment (see applicable bargaining agreements). Such leave shall be cumulative from year to year, and any leave charged against accrued sick leave shall be with full compensation.

In the event an employee uses more than five (5) consecutive work or paid days of leave allowance, the employee shall provide a doctor's statement attesting to the illness with the anticipated date of return. The doctor's statement should be provided as soon after the sixth day as possible, but in any case, prior to receiving the paycheck for the pay period in which the sixth day occurred or any subsequent paychecks.

### **Personal Leave**

Personal Leave Chargeable to Sick Leave – Entitled employees are allowed six (6) days paid leave for personal reasons each year to be charged against accrued sick leave (see applicable bargaining agreements). Such leave shall be noncumulative and any request for such leave shall be approved, in advance, by the Superintendent or his/her designee.

### **Extended Personal Health Leave**

Extended Personal Leave – No leave shall be granted for a period in excess of one (1) year or any period beyond the current contractual period (see applicable bargaining agreements). The District may require documentation from a licensed health care provider indicating nature of the illness and the need for leave is valid. Employees on extended leave without pay shall have the option of continuing insurance or similar benefits to which he/she would normally be entitled. Payments for premiums shall be borne by the employee and may be made on a monthly basis.

### **Authorized Leave Without Pay (LWOP)**

Employees who desire up to five (5) days of personal leave without pay during a school year shall apply to their principal or immediate administrative supervisor for approval.

Employees who desire in excess of five (5) days of personal leave without pay during a school year shall submit a written request to Human Resources.

The written request shall be countersigned by the employee's principal or immediate administrative supervisor to indicate approval or disapproval of the leave request.

### **Annual Leave**

Annual leave may be granted by the entitled employee's immediate supervisor (see applicable bargaining agreements). Annual leave shall be scheduled for a minimum disruption of the department/school's work.

Once sick leave has been exhausted, accrued annual leave may be used in lieu of sick leave with the supervisor's approval (see applicable bargaining agreements).

### **Family and Medical Leave (FMLA)**

In compliance with the Family and Medical Leave Act of 1993, full time school employees are entitled to take up to twelve (12) weeks unpaid leave a year for the following reasons:

A. The birth of the employee's child;

- B. The placement of a child with the employee for adoption or foster care;
- C. To care for the employee's spouse, child or parent who has a serious health condition; or
- D. A serious health condition rendering the employee unable to perform his/her job.

FMLA is not increased beyond 12 weeks of leave annually by the Emergency Family and Medical Leave Expansion Act (EFMLEA), but *is only amended to add* the EFMLEA reasons for leave to the traditional reasons for FMLA.

Employees are to provide at least thirty (30) days' notice, if possible, of their intention to take leave. Medical certification that the leave is needed is required for the employee's own serious health condition or that of a family member. The School Board will continue the employee's health insurance under the same conditions as if the employee were working. Upon returning from leave, the employee will be restored to the same or equivalent position with equivalent pay, benefits, and other terms and conditions of employment. Applicable collective bargaining agreements may contain additional restoration procedures.

At the employee's option, accrued paid leave may be used during the employee's use of available FMLA leave. When accrued paid leave is exhausted and an employee remains eligible for additional FMLA leave, the remaining FMLA leave may be used as FMLA unpaid leave or as otherwise allowable by Board rule. FMLA paid and unpaid leave are both FMLA protected.

**If you have any questions related to the available leave options, please feel free to contact the district's Human Resources department.**