

# DRAFT UPDATE

## Educational Support Personnel

### Sick Days, Vacation, Holidays, and Leaves

Each of the provisions in this policy applies to all educational support personnel to the extent that it does not conflict with an applicable collective bargaining agreement or individual employment contract or benefit plan; in the event of a conflict, such provision is severable and the applicable bargaining agreement or individual agreement will control.

#### Sick and Bereavement Leave

Please refer to the following current agreement:

**Collective Bargaining Contract Between Board of Education - Harvey Public Schools District 152 and The Harvey Educational Support Personnel Association (HESPA), IEA-NEA.**

**Agreement Between The Board of Education Harvey School District 152 and Service Employees International Union, Local 73, CTW.**

**For employees not covered by these agreements:**

Full or part-time educational support personnel who work at least 600 hours per year receive 10 paid sick leave days per year. Part-time employees ~~will receive who work at least half-time are entitled to sick leave days on the same basis as full-time employees, but the pay equivalent to their regular workday will be based on the employee's average number of part-time hours per week.~~ Unused sick leave shall accumulate to a maximum of 180 days, including the leave of the current year.

Sick leave is defined in State law as personal illness, quarantine at home, serious illness or death in the immediate family or household, or birth, adoption, or placement for adoption. The Superintendent and/or designee shall monitor the use of sick leave.

As a condition for paying sick leave after 3 days absence for personal illness or 30 days for birth or as the Board or Superintendent deem necessary in other cases, the Board or Superintendent will require that the staff member provide a certificate from: (1) a physician licensed in Illinois to practice medicine and surgery in all its branches, (2) a chiropractic physician licensed under the Medical Practice Act, (3) an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, (4) a physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician, or (5) if the treatment is by prayer or spiritual means, a spiritual adviser or practitioner of the employee's faith. If the Board or Superintendent requires a certificate during a leave of less than 3 days for personal illness, the District shall pay the expenses incurred by the employee.

The use of paid sick leave for adoption or placement for adoption is limited to 30 days unless a longer leave is provided in an applicable collective bargaining agreement. The Superintendent may require that the employee provide evidence that the formal adoption process is underway.

#### Vacation

Please refer to the following current agreement:

**Agreement Between The Board of Education Harvey School District 152 and Service Employees International Union, Local 73, CTW.**

**For employees not covered by this agreement:**

#### **Comment [AP1]:**

**OPTION 1:** The Illinois Municipal Retirement Fund requires that public bodies have a written plan allowing eligible employees to convert their eligible accumulated sick leave to service credit upon retirement (40 ILCS 5/7-139(a)(8)). If the CBA referred to in this section contains this written plan, the subhead can be amended to add: IMRF Service Credit Plan

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**Comment [AP2]:** This language is amended to avoid granting full-time sick leave to employees who are working part-time hours, inconsistent treatment, and inaccurate reporting to IMRF.

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**Comment [AP3]: OPTION 2:** If the board wants to include in policy the IMRF requirement that public bodies have a written plan allowing eligible employees to convert their eligible accumulated sick leave to service credit upon their retirement, insert the following sentence at the end of this paragraph: This policy is the District's written plan allowing eligible employees to convert eligible accumulated sick leave to service credit upon a District employee's retirement under the Illinois Municipal Retirement Fund.

If the district maintains separate plans for those covered in a CBA and those not, choose both options.

If the board does not have a written sick leave plan for purposes of IMRF sick leave to service credit conversion or does not wish to include it in the policy, do not select either option.

If either one or both options are selected, 40 ILCS 5/7-139 will be added to the Legal References.

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Twelve-month employees shall be eligible for paid vacation days according to the following schedule:

<u>Length of Employment</u>		<u>Monthly Accumulation</u>	<u>Maximum Vacation Leave Earned Per Year</u>
<u>From:</u>	<u>To:</u>		
Beginning of year 2	End of year 5	0.83 Days	10 Days per year
Beginning of year 6	End of year 15	1.25 Days	15 Days per year
Beginning of year 16	End of year	1.67 Days	20 Days per year

Part-time employees who work at least half-time are entitled to vacation days on the same basis as full-time employees, but the pay will be based on the employee's average number of part-time hours per week during the last vacation accrual year. The Superintendent will determine the procedure for requesting vacation.

Vacation days earned in one fiscal year must be used by the end of the following fiscal year; they do not accumulate. As an exception, twelve-month administrators may opt to use vacation days over an eighteen month period. Employees resigning or whose employment is terminated are entitled to the monetary equivalent of all earned vacation.

## Holidays

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**Agreement Between The Board of Education Harvey School District 152 and Service Employees International Union, Local 73, CTW.**

**For employees not covered by these agreements:**

Unless the District has a waiver or modification of the School Code pursuant to Section 2-3.25g or 24-2(b) allowing it to schedule school on a holiday listed below, District employees will not be required to work on:

New Year's Day	Labor Day
Martin Luther King Jr.'s Birthday	Columbus Day
Abraham Lincoln's Birthday	Veteran's Day
Casimir Pulaski's Birthday	Thanksgiving Day
Memorial Day	Christmas Day
Independence Day	

A holiday will not cause a deduction from an employee's time or compensation. The District may require educational support personnel to work on a school holiday during an emergency or for the continued operation and maintenance of facilities or property.

## Personal Leave

**Please refer to the following current agreements:**

**Collective Bargaining Contract Between Board of Education - Harvey Public Schools District 152 and The Harvey Educational Support Personnel Association (HESPA), IEA-NEA.**

**Agreement Between The Board of Education Harvey School District 152 and Service Employees International Union, Local 73, CTW.**

**For employees not covered by these agreements:**

# ***DRAFT UPDATE***

Full-time educational support personnel have one paid personal leave day per year. The use of a personal day is subject to the following conditions:

1. Except in cases of emergency or unavoidable situations, a personal leave request should be submitted to the Building Principal 3 days before the requested date.
2. No personal leave day may be used immediately before or immediately after a holiday, or during the first and/or last 5 days of the school year, unless the Superintendent grants prior approval.
3. Personal leave may not be used in increments of less than one-half day.
4. Personal leave is subject to any necessary replacement's availability.
5. Personal leave may not be used on an in-service training day and/or institute training days.
6. Personal leave may not be used when the employee's absence would create an undue hardship.

## Leave to Serve as a Trustee of the Illinois Municipal Retirement Fund

Upon request, the Board will grant 20 days of paid leave of absence per year to a trustee of the Illinois Municipal Retirement Fund in accordance with 105 ILCS 5/24-6.3.

## Other Leaves

Educational support personnel receive the following leaves on the same terms and conditions granted professional personnel in Board policy 5:250, *Leaves of Absence*:

1. Leaves for Service in the Military and General Assembly.
2. School Visitation Leave.
3. Leaves for Victims of Domestic or Sexual Violence.

LEGAL REF.: 20 ILCS 1805/30.1 et seq.  
105 ILCS 5/10-20.7b, 5/24-2, and 5/24-6.  
820 ILCS 147 and 180/1 et seq.

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:185 (Family and Medical Leave), 5:250 (Professional Personnel - Leaves of Absence)

ADOPTED: ~~June 16, 2014~~