

Document Status: Draft Update

Educational Support Personnel

5:330 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

Full or part-time educational support personnel who work at least 600 hours per year receive 15 paid sick leave days per year. Part-time employees will receive sick leave pay equivalent to their regular workday. Unused sick leave shall accumulate to the maximum number of days that IMRF will recognize for retirement credit purposes.

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 three 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 may 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 **licensed** advanced practice registered nurse ~~who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice registered nurse to perform health examinations,~~ **PRESSPlus1** (4) a **licensed** 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 three 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

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

Year 1 vacation may be used after 90 days. Employees starting mid-year will receive a prorated amount to be used after 90 days.

| <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 4 | 0.83 Days | 10 Days per year |
| Beginning of year 5 | End of year 10 | 1.25 Days | 15 Days per year |
| Beginning of year 11 | End of year 14 | 1.25 Days | 1 additional day until |
| Beginning of year 15 | | 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, unless a 6-month extension is granted by the Superintendent. Employees resigning or whose employment is terminated are entitled to the monetary equivalent of all earned vacation.

Holidays

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 | Day After Thanksgiving |
| 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.

Emergency Leave

. The use of an emergency day is subject to the following conditions:

1. Except in cases of emergency or unavoidable situations, an emergency leave request should be submitted to the Building Principal three days before the requested date.
2. No emergency leave day may be used immediately before or immediately after a holiday, or during the first and/or last five days of the school year, unless the Superintendent grants prior approval.
3. Emergency leave may not be used in increments of less than one-half day.
4. Emergency leave is subject to any necessary replacement's availability.
5. Emergency leave may not be used on an in-service training day and/or institute training days, unless the Superintendent grants prior approval.
6. Emergency 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 Ill. 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, Sexual Violence, or Gender Violence. [PRESSPlus2](#)
4. Child Bereavement Leave
5. Leave to serve as an election judge.

LEGAL REF.:

~~20 ILCS 1805/30.1 et seq.~~

105 ILCS 5/10-20.7b, 5/24-2, and 5/24-6.

330 ILCS 61/, Service Member Employment and Reemployment Rights Act.

[820 ILCS 147](#), School Visitation Rights Act.

[820 ILCS 154/](#), Child Bereavement Leave Act.

[820 ILCS 180/](#), Victims' Economic Security and Safety Act.

School Dist. 151 v. ISBE, 154 Ill.App.3d 375 (1st Dist. 1987); *Elder v. Sch. Dist. No.127 1/2*, 60 Ill.App.2d 56 (1st Dist. 1965).

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:185 (Family and Medical Leave), 5:250 (Leaves of 5:330

Absence)

Adopted: June 24, 2019

PRESSPlus Comments

PRESSPlus 1. Updated to incorporate 105 ILCS 5/24-6, previously amended by P.A. 99-173, removing the need for an advanced practice nurse to have a written collaborative agreement with a physician. **Issue 102, October 2019**

PRESSPlus 2. Required by the Victims' Economic Security and Safety Act, (VESSA) (820 ILCS 180/, amended by P.A. 101-221, eff. 1-1-20, and 56 Ill.Admin.Code §280). *Gender violence* means: (1) one or more acts of violence or aggression that is a criminal offense under State law committed, at least in part, on the basis of a person's actual or perceived sex or gender, (2) a physical intrusion or invasion of a sexual nature under coercive conditions that is a criminal offense under State law, or (3) a threat to commit one of these acts. *Sexual violence* is not specifically defined in VESSA. **Issue 102, October 2019**