

## 8.5.5—CLASSIFIED EMPLOYEES SICK LEAVE – TRANSPORTATION

### Definitions

**“Employee”** is a full-time employee of the District.

**“Sick Leave”** is absence from work due to illness, whether by the employee or a member of the employee’s immediate family.

**“Excessive Sick Leave”** is absence from work, whether paid or unpaid, that exceeds twelve (12) days in a contract year for an employee and that is not excused pursuant to: District policy; the Family Medical Leave Act; a reasonable accommodation of disability under the American’s With Disabilities Act; or due to a compensable Workers’ Compensation claim.

**“Grossly Excessive Sick Leave”** is absence from work, whether paid or unpaid, that exceeds ten percent (10%) of the employee’s contract length and that is not excused pursuant to: District policy; the Family Medical Leave Act; a reasonable accommodation of disability under the American’s With Disabilities Act; or due to a compensable Workers’ Compensation claim.

**“Current Sick Leave”** means those days of sick leave for the current contract year, which leave is granted at the rate of one (1) day of sick leave per contracted month, or major part thereof.

**“Accumulated Sick Leave”** is the total of unused sick leave accrued from previous contracts, but not used. Accumulated sick leave also includes the sick leave transferred from an employee’s previous public school employment.

**“Immediate family”** means an employee’s spouse, children, grandchildren, parents or legal guardian, spouse’s parents or legal guardian or other relatives living in employee’s house.

Transportation employees are allowed sick leave according to the provisions listed below:

Each employee will receive a minimum of one day per month or major portion thereof sick leave per year at full pay. This leave may be used for personal illness or illness in the immediate family. Sick leave that is unused during any one school year will be accumulated for the employee’s sick leave account at a rate of one day per month or major portion thereof until thirty days have been accumulated. This Policy becomes effective July 1, 2004.

The treating physician’s statement may be required. The District may also require a confirming statement about the status of the employee’s illness from a physician of its choice.

Payments made to an employee under any District plan or Policy shall be considered advance payment of compensation under the Arkansas Workers' Compensation Act; the District shall be entitled to a dollar for dollar credit toward the total amount of indemnity benefits due.

A physician's certificate may be requested at any time by the immediate supervisor from any employee who is absent due to illness.

Immediate Family illness will be charged against the staff member's sick leave entitlement. Sick leave for personal illness and/or illness in the immediate family will be treated as one entitlement and cannot be duplicated.

For illness in the family but outside the immediate family, only the cost of the substitute will be deducted from the employee's pay to a maximum of fifteen days per school year.

If the employee's absences are excessive or grossly excessive as defined by this policy, disciplinary action may be taken against the employee, which could include termination or nonrenewal of the contract of employment. The superintendent shall have the authority when making his/her determination to consider the totality of circumstances surrounding the absences and their impact on district operations or student services.

Legal References:   A.C.A. §§ 6-17-1301 et seq.  
                          29 U.S.C. §§ 2601 et seq.  
                          29 C.F.R. §§ 825.100 et seq.

Additional Reference: ASBA Model Policies

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