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### 3431 - **EMPLOYEE LEAVES**

The Board recognizes that there may be instances in which employees can not report to work and recognizes that in certain circumstances it is appropriate to provide compensation or job protection during those absences. The leave provided for in this policy is provided in conjunction with other Board leave policies, including Policy 3161 -Unrequested Leaves of Absence-, Policy 3430.01 -Family & Medical Leaves of Absence ("FMLA"), Policy 3432-Employee Sick Leave, and Policy 3430 - Leaves of Absence.

#### **A. Bereavement Leave**

Staff members are eligible for bereavement leave as specified in the Employee Handbook.

Bereavement leave may not be used for any other purposes and does not accrue unless there is a qualifying death in the family.

#### **B. Military Leave**

Staff members will be afforded protected leave from employment to perform their obligations to the United States Armed Forces, whether for reserve duty or a call to active duty, and potential deployment. Leave shall be provided in accordance with the law.

Absences due to military leave covered by the Uniformed Services Employment and Reemployment Act (USERRA) shall be unpaid unless the employee elects to use other paid leave available to the employee.

#### **C. Leave for Jury Duty**

Staff members who are called to jury duty shall be excused as specified in the Employee Handbook.

While on jury duty, staff members are required to report on a daily basis their schedule for the following day and must report to work when excused for a day or more.

Staff members must submit to the District Administrator a record from the court of the number of days served.

#### **D. Volunteer Firefighter, Emergency Medical Technician, First Responder, or Ambulance Driver**

A staff member who is a volunteer firefighter, emergency medical technician, first responder, or ambulance driver for a volunteer fire department or fire company, a public agency, or a nonprofit corporation may be late for or absent from work without pay if the lateness or absence is due to the staff member responding to an emergency that

begins before the staff member is required to report to work and if the staff member complies with all of the following requirements:

1. By no later than thirty (30) days after becoming a member of a volunteer fire department or fire company or becoming affiliated with an ambulance service provider, submits to the District a written statement signed by the chief of the volunteer fire department or fire company or by the person in charge of the ambulance service provider notifying the District that the staff member is a volunteer firefighter, emergency medical technician, first responder, or ambulance driver for a volunteer fire department or fire company, a public agency, or a nonprofit corporation;
2. When dispatched to an emergency, makes every effort to notify the District that the staff member may be late for or absent from work due to the staff member responding to the emergency or, if prior notification cannot be made due to the extreme circumstances of the emergency or the inability of the staff member to contact the District, submits to the District a written statement from the chief of the volunteer fire department or fire company or from the person in charge of the ambulance service provider explaining why prior notification could not be made; and
3. When late for or absent from work due to responding to an emergency, provides, on the request of the District, a written statement from the chief of the volunteer fire department or fire company or from the person in charge of the ambulance service provider certifying that the staff member was responding to an emergency at the time of the lateness or absence and indicating the date and time of the response to the emergency.

When the status of a staff member as a member of a volunteer fire department or fire company or as an affiliate of an ambulance service provider changes, including termination of that status, the staff member shall notify the District of that change in status.

#### **E. Organ Donor Leave**

A staff member may take up to six (6) weeks of leave in a twelve (12) month period as necessary for the employee to undergo bone marrow or organ donation procedure and to recover from the procedure. The employee may be required to provide written medical certification that s/he will serve as a donor and the amount of leave time necessary.

Leave taken for this purpose is unpaid, however, an employee is eligible to substitute available accrued paid leave for all or some of the leave taken under this policy. An employee must provide as much advance notice as possible so as not to unduly disrupt the District's operations. The employee will be returned to the same position upon return or if that position is no longer available an equivalent position and shall not lose any benefits during leave, including the right to continue health insurance coverage as provided for in the District's FMLA policy, Policy 3430.01.

#### **F. Leave for Voting**

A staff member who is eligible to vote may take up to three (3) consecutive hours of unpaid leave to vote while the polls are open on Election Day. The staff member must submit a leave request to the District Administrator prior to Election Day. The District Administrator must approve the leave, but may identify a specific three (3) hour period during the staff member's work hours that the staff member is permitted to utilize for voting.

Leave for voting is provided on an unpaid basis. However, the District Administrator may approve the leave with pay or allow the employee to substitute paid leave for the unpaid Election Day leave. Staff members may not be penalized for using voting leave.

#### **G. Election Official Leave**

The District Administrator shall approve a one (1) day unpaid leave of absence for any staff member who is appointed to serve as an election official, provided the staff member has given the District at least seven (7) days' notice of the leave. In accordance with State law, the District may request confirmation from the municipal clerk of the staff member's appointment as an election official.

Leave to serve as an election official is provided on an unpaid basis. If available, a staff member may substitute paid leave such as personal leave. Staff members may not be penalized for using leave to serve as an election official.

#### **H. Leave to Testify**

Any employee who is issued a subpoena to testify in a ~~criminal court~~ legal proceeding shall be provided the following:

1. If the proceeding relates to a ~~criminal matter~~ matters under Chapters 48 or 938 of the Wisconsin Statutes, the employee may not be discharged from employment for absences due to testifying, provided that the employee ~~provides notice within one (1) business day of receiving~~ immediately notifies the District Administrator of receipt of the subpoena (see Policy 8325 - Receipt of Legal Documents by District Employees);
2. Any employee subpoenaed to testify in a matter that involves a crime committed against the employer or against the employee in the course of employment (including an act committed by a juvenile that would be a crime if committed by an adult), (X) or any proceeding involving matters arising within the employee's course of employment shall be provided paid time off to do so such that no loss of wages or benefits occurs as a result of compliance with the subpoena. Any employee who is issued a subpoena for matters described in this section shall immediately notify the District Administrator of receipt of the subpoena (see Policy 8325 - Receipt of Legal Documents by District Employees).

T.C. 10/10/23

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Legal 6.76, 7.33, 103.88, Wis. Stats.

Last Modified by Coleen Frisch on October 22, 2024