

# Salinas Union High School District

Management Personnel

Regulation # 4361.1/4461.1

## **PERSONAL INJURY/ILLNESS LEAVE**

Full-time management employees are entitled to 10 or 12 (based on calendar work-year) days leave of absence for personal illness or injury (sick leave) per school year, with full pay. Employees working less than five days per week shall be granted comparable sick leave in proportion to the time they work. (Education Code [44978](#))

(cf. [4161/4261](#) - Leaves)

(cf. [4161.9/4261.9/4361.9](#) - Catastrophic Leave Program)

(cf. [4361](#) - Leaves)

An employee may take sick leave at any time during the school year, even if credit for sick leave has not yet been accrued. (Education Code [44978](#))

An employee who does not complete a given year of service shall be charged for any unearned sick leave used as of the date of termination.

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code [44978](#))

At the beginning of each school year, employees may request to be notified of the amount of sick leave they have accumulated.

Any management employee who leaves the District after at least one year of employment and accepts a certificated position in another District, county office of education or community college District within one year shall have transferred with him/her the total amount of accumulated sick leave. The District shall not require new employees to waive their leave accumulated in a previous District. (Education Code [44979](#), [44980](#))

Sick leave may be used by a certificated employee for:

1. Cases of temporary inability to perform duties because of illness, accident or quarantine, whether or not the cause of absence arises out of and in the course of employment (Education Code [44964](#))

(cf. [4157.1/4257.1/4357.1](#) - Work-Related Injuries)

2. Absences due to pregnancy, miscarriage, childbirth and recovery (Education Code [44965](#), [44978](#))

(cf. [4161.8/4261.8/4361.8](#) - Family Care and Medical Leave)

3. Cases of personal necessity (Education Code [44981](#))

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(cf. [4161.2/4261.2/4361.2](#) - Personal Leaves)

4. Medical and dental appointments, in increments of not less than one hour
5. Cases of industrial accidents or illnesses when leave granted specifically for that purpose has expired (Education Code [44984](#))

(cf. [4161.11/4361.11](#) - Industrial Accident/Illness Leave)

6. Illness of the employee's child, parent, spouse, registered domestic partner or domestic partner's child, up to the amount of sick leave that would be accrued during six months (Labor Code [233](#))

An employee shall notify the District of his/her need to be absent as soon as such need is known, so that substitute services may be secured. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the District. If the duration of absence becomes shorter than estimated, the employee shall notify the District not later than 3 p.m. of the day preceding the day on which he/she intends to return to work. If failure to so notify the District results in a substitute being secured, the cost of the substitute shall be deducted from the employee's pay.

(cf. [4121](#) - Temporary/Substitute Personnel)

### **Sick Leave Beyond 10 or 12 Days**

When a management employee has exhausted all available sick leave, including all accumulated sick leave, and continues to be absent from his/her duties due to illness or accident for an additional period up to five school months, the employee shall receive his/her regular salary minus the actual cost of a substitute to fill the position. If the District has made every reasonable effort to secure the services of a substitute and has been unable to do so, the amount that might have been paid to a substitute shall be deducted from the employee's salary. (Education Code [44977](#))

The sick leave, including accumulated sick leave, and the five-month period shall run consecutively. (Education Code [44977](#))

An employee shall not be provided more than one five-month period per illness or accident. However, if the school year ends before the five-month period is exhausted, the employee may take the balance of the five-month period in a subsequent school year. (Education Code [44977](#))

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### **Verification Requirements**

After any absence due to illness or injury, the employee shall verify the absence by submitting a completed and signed District absence form to his/her immediate supervisor.

The Superintendent or designee may, at any time, require additional written verification by the employee's physician or practitioner. Such verification shall be required whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever clear evidence indicates that an absence is not related to illness or injury.

The Superintendent or designee may require an employee to visit a physician selected by the District and at District expense in order to receive a report on the medical condition of the employee. The report shall include a statement as to the employee's need for further leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny further leave.

Before returning to work, an employee who has been absent for surgery, hospitalization or extended medical treatment may be asked to submit a letter from his/her physician stating that he/she is able to return and stipulating any recommended restrictions or limitations.

(cf. [4032](#) - Reasonable Accommodation)

(cf. [4113.4/4213.4/4313.4](#) - Temporary Modified/Light-Duty Assignment)

### Legal Reference:

#### EDUCATION CODE

[44964](#) Power to grant leave of absence in case of illness, accident or quarantine

[44965](#) Granting of leaves of absence for pregnancy and childbirth

[44976](#) Transfer of leave rights when school is transferred to another District

[44977](#) Salary deduction during absence from duties

[44978](#) Provisions for sick leave of certificated employees

[44979](#) Transfer of accumulated sick leave to another District

[44980](#) Transfer of accumulated sick leave to a county office of education

[44981](#) Leave of absence for personal necessity

[44983](#) Exception to sick leave when District adopts specific rule

[44986](#) Leave of absence for disability allowance applicant

#### LABOR CODE

[233](#) Illness of child, parent, spouse or domestic partner

[234](#) Absence control policy

#### CODE OF REGULATIONS, TITLE 5

[5601](#) Transfer of accumulated sick leave

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## **PERSONAL INJURY/ILLNESS LEAVE**

Policy adopted: 11/24/81

Code references revised: 3/31/89

Cross References amended: 1/25/91

Renumbered from 4351.1/4451.1: 2/3/92

Reviewed and changed from policy to regulation in line with CSBA organization: 10/04