

## LICENSED EMPLOYEE PERSONAL ILLNESS LEAVE

Licensed employees shall be granted ten days of sick leave in their first year of employment. Each year thereafter, one additional day of sick leave will be granted to the licensed employees up to a maximum of fifteen days. "Day" is defined as one workday regardless of full-time or part-time status of the employee. A new employee shall report for work at least one full workday prior to receiving sick leave benefits. A returning employee will be granted the appropriate number of days at the beginning of each fiscal year.

Sick leave may be accumulated up to a maximum of 125 days for licensed employees.

Should the personal illness occur after or extend beyond the sick leave accumulated allowance, the employee may apply for disability benefits under the group insurance plan. If the employee does not qualify for disability benefits, the employee may request a leave of absence without pay.

Evidence may be required regarding the mental or physical health of the employee when the administration has a concern about the employee's health. Evidence may also be required to confirm the employee's illness, the need for the illness leave, the employee's ability to return to work, and the employee's capability to perform the duties of the employee's position. It shall be within the discretion of the board or the superintendent to determine the type and amount of evidence necessary. A licensed employee granted up to a one-year leave of absence for personal illness will still be considered under continuous employment during the leave for only the purposes of qualifying for the district's licensed employee retirement incentive plan.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding the personal illness leave of such employees shall be followed.

In cases of absence due to personal injury involving Workmen's Compensation no individual shall receive more or less in payment during a period of disability than his/her current salary. The employer shall not supplement an employee's worker's compensation benefits by reducing the employee's sick leave, vacation leave, or earned compensatory time entitlements, unless the employer first notifies the employee of the employee's option to supplement and the employee elects to do so in writing to the superintendent. Employer's notification to employee is satisfied by notification printed on the "Work Injury Report" which is completed by each injured employee. The amount of supplemental sick pay shall be computed by multiplying the employee's daily rate of pay by the number of working days the employee was absent due to the injury and subtracting the total amount of worker's compensation benefits the employee received. This result shall then be divided by the employee's daily rate of pay to determine the number of sick leave days used. Doctor's medical statement may be requested if deemed necessary by the Administration in questions arising out of use of sick leave.

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LICENSED EMPLOYEE PERSONAL ILLNESS LEAVE (cont.)

Legal Reference: Whitney v. Rural Ind. School District, 232 Iowa 61, 4 N.W.2d 394 (1942).  
26 U.S.C. § 2601 et seq. (Supp. 1993)  
29 C.F.R. Pt. 825 (1993).  
Iowa Code §§ 20; 85.33, .34, .38(3); 216; 279.40 (1995).  
1980 Op. Att'y Gen. 605.  
1972 Op. Att'y Gen. 177, 353.  
1952 Op. Att'y Gen. 91.

Cross Reference: 403.2 Employee Injury on the Job  
409.3 Licensed Employee Family and Medical Leave  
409.8 Licensed Employee Unpaid Leave