

## CLASSIFIED EMPLOYEE PERSONAL ILLNESS LEAVE

Classified 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 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 classified employees. Five days of sick leave are permissible without a doctor's certification. For sick leave absence over five days, the certification shall be on a form provided by the district.

Should the personal illness occur after or extend beyond the accumulated sick leave, 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 including, but not limited to, confirmation of the following: 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 and the superintendent to determine the type and amount of evidence necessary. A classified 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 classified employee retirement incentive plan.

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.

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); 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  
414.3 Classified Employee Family and Medical Leave  
414.8 Classified Employee Unpaid Leave

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