

LEAVES AND VACATIONS--UNAUTHORIZED LEAVE

1. Definition of Unauthorized Leave

The Board of Education recognizes that certain absences are justifiable and will provide for employee absences authorized by law and consistent with contractual agreement.

Unauthorized leave is defined as nonperformance of those duties and responsibilities assigned by the district and its representatives including all duties and responsibilities as defined by statute, rules and regulations of the State Board of Education, policies of the Board and administrative regulations of this school district. Such unauthorized leave may include but is not limited to collective refusals to provide service, unauthorized use of sick leave, unauthorized use of other leave benefits, nonattendance at required meetings and failure to perform supervisory functions at school-sponsored activities.

An employee is deemed to be on unauthorized leave at such time and on such occasions as the employee may absent himself/herself from required duties.

2. Disciplinary Action

Unauthorized leave shall constitute a breach of contract and, therefore, may result in the initiation of dismissal procedures, loss of salary or such disciplinary action as may be deemed appropriate.

Beginning on the first day of unauthorized leave no warrant shall be drawn in favor of any employee who has not faithfully performed all duties prescribed.

An employee shall receive as salary only an amount that bears the same ratio to the established annual salary as the time he/she serves bears to the required days of service.



LEAVES AND VACATIONS--UNAUTHORIZED LEAVE (continued)

3. Verification of Absence

The Superintendent may require a physician's or other verification as to an employee's claimed reason for absence in any situation in which it is believed that no valid grounds exist for the employee's claim for absence. Such verification shall be made within five days of absence.

Date: January 10, 1984

Reviewed: August 29, 1994

Legal Reference: N.J.S.A. 18A:30-1 et seq. Leaves of Absence

Cross Reference: 4250 Leaves and vacations--unauthorized leave  
(support personnel)

RULES AND REGULATIONS FOR ABSENCES

A. Illness

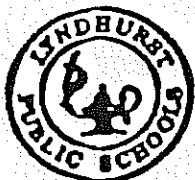
All 10-month employees shall be allowed 10 days leave per annum and 12-month employees 12 days because of personal illness or accident without the loss of salary.

Cumulative allowances for personal illness:

1. A 10-month employee who shall suffer an enforced absence from school for more than 10 days in any school year and a 12-month employee 12 days' illness or accident shall receive the benefit of cumulative sick leave allowance as herein defined. It is to be understood that cumulative sick leave allowance must actually be available before it can be used.

Definition: Cumulative sick leave allowance is the sum of all unused portions of an employee's annual allowance. This definition is construed to mean that the beneficiary, in addition to the 10 or 12 days allowance for the current year, shall be entitled to the unused days of the annual allowance for the past consecutive years' service.

2. The accumulation of sick leave allowance shall be limited to consecutive and uninterrupted service.
  - a. An employee shall be considered as rendering consecutive service as long as he/she or the Board does not officially terminate his/her service



Illness (continued)

- b. A leave of absence does not constitute an interruption of service but during a leave of absence there will be no accumulation of sick leave. Intermittent absence during the year shall not be interpreted as an interruption in service.
  - c. An employee who leaves the system shall lose his/her benefits under the cumulative sick leave plan. If he/she returns to the system, he/she shall have the same classification as any new employee. The sick leave allowance is established to protect employees during illness while in service. When a teacher or any other employee resigns, his/her rights to such allowance are forfeited.
3. A record shall be kept in the Board Office of all absences, the cumulative amount of leave.
  4. An absence of more than five days duration must be certified by the personal physician. Salary will be allowed only upon the presentation of the doctor's certificate clearly stating the dates of absence. This applies in case of personal illness.

B. Absences Due to Other Causes

1. Death in the family.
  - a. In case of death in the immediate family defined as father, mother, husband, wife, child, sister, brother, mother-in-law, father-in-law, or relative who resides in the home of the employee, an employee shall be allowed a number of days not to exceed five (5) without loss of salary. Where distances of five hundred (500) miles or more round trip are involved, the Board is authorized to allow a number of days additional, the total number not to exceed seven (7) without loss of salary.

Absences Due to Other Causes (continued)

- b. In case of the death of an employee's grandfather, grandmother, sister-in-law, or brother-in-law, an absence of two (2) days will be allowed without loss of salary.
- c. In case of the death of employee's uncle, aunt, niece, or nephew, an absence of one (1) day will be allowed without loss of salary.
- d. In case of the death of other relatives, absence of one (1) day will be allowed without the loss of salary.
- e. In case of the death of an employee's close friend, an absence of one (1) day will be allowed without the loss of salary. However, this provision shall be limited to one such paid absence per school year.

2. Court Subpoena

Absences for court subpoena will also be allowed when the employee is not the petitioner or the plaintiff.

3. Quarantine

Absences for quarantine will be allowed.

4. Absences for professional business will be allowed with the consent of the Superintendent of Schools.
5. Two days' absence for personal or business reasons shall be granted without deductions in pay, and shall not require permission of the Superintendent of Schools. Personal days shall not be used for job action, and may not be used prior to or following a three-day vacation, at Easter, at Christmas or other long holidays. Notification of the taking of personal days shall be given three days in advance and in writing.

6. An employee who reports for duty and remains for four hours and leaves thereafter shall not be charged for absence; if the employee leaves before that time, an absence of one-half day shall be charged.

C. Deductions

Full salary will be deducted for any leave in excess of those allowed by the rules.

In the event of absence for illness, a day's salary is defined as meaning one two-hundredths ( $1/200$ th) of the annual salary for 10-month employees and one two-hundred fortieth ( $1/240$ th) of the annual salary for 12-month employees.

Chronic absences without cause will be considered grounds for dismissal.

Date: January 10, 1984

Reviewed and Approved by Rules and Regulations Committee:  
September 7, 1994.

Revised: June 26, 1995