# WOOD COUNTY BOARD OF EDUCATION

# 4152 - Leave of Absence

1. Definition

An employee on a leave of absence is relieved for the duration of the leave of absence of all work duties as an employee of the Board of Education. Taking a leave of absence indicates that it is likely that a person will return to work at the end of the leave. For the period included in the leave of absence, the employee receives neither salary nor holiday pay, and the employee accrues neither vacation nor personal leave days. Seniority, however, will accumulate in accordance with West Virginia law. Employees do not have to use accumulated annual leave or sick leave prior to taking a leave of absence for the purpose of pregnancy, childbirth, adoptive or infant bonding. All other requests for leave may be granted only when the employee exhausts all vacation and personal leave days. The employee will not be permitted to accept other employment or work outside the school system while on a leave of absence.

II Reasons

A leave of absence may be granted for the following reasons:

1. A demonstrated inability or unfitness to perform one’s duties due to one’s physical or emotional condition

2. Compulsory military service as defined in Policy 4152.2 Family and Medical Leave of Absence Act and Military Family Leave of Absence.

3. Critical illness of one’s parent, stepparent, spouse, child or stepchild, or other legal dependent of the employee as defined in Policy 4151 Personal Leave of Absence for Illness or Other Causes.

4. Specific or compelling individual reasons which require advanced approval by the immediate Supervisor Assistant Superintendent of Human Resources, and Superintendent.

5. Extended Leave of absence without pay for pregnancy, childbirth or adoptive or infant bonding as defined in Policy 4152.3.

6. Special educational or governmental assignment.

7. Worker Compensation

III. Regulation and Procedure

1. A leave of absence must be requested by the employee or the employee’s representative on the form prescribed by the Board of Education (Form HR/1-2011). The request shall specify the reasons for which a leave of absence is sought and the dates on which the employee proposes the leave shall begin and end. The employee may have to meet with the Superintendent to explain the situation requiring the leave.
2. Leaves of absence must be submitted 10 days prior to the leave taking place. In an emergency, the leave must be submitted no later than 48 hours after the emergency. The immediate supervisor, Assistant Superintendent of Human Resources, and Superintendent ~~shall approve leaves of absence~~ decide on leave of absence approval. Leaves of absence ~~requested for 10 or more days~~ will be recommended by the Superintendent to the Board of Education for approval.
3. Upon recommendation of the Superintendent, the Board of Education may grant a leave of absence for a period of time not to exceed twelve months, or as designated in Policies 4152.2 – Family and Medical Leave Act and Military Family Leave and 4152.3 – Parental Leave Act. The Superintendent may recommend an extension of the leave of absence beyond twelve months due to serious, life-threatening illness. Before approving an extension of the leave of absence beyond twelve months, the Board shall consider all appropriate documentation including the current WV PEIA Handbook and relevant statutes pertaining to a leave of absence in West Virginia Code.
4. When an employee (1) is absent from work because of a demonstrated inability or unfitness to perform assigned duties due to physical or emotional condition, and (2) has been absent from work for a period of time in excess of the total of all accumulated personal leave and vacation, and (3) is still unable to return to work, the employee or the employee’s representative shall request a leave of absence. If a leave of absence is not requested or not approved, the Superintendent may initiate the due process steps requisite for termination of the employee’s contract.
5. Prior to completion of the leave of absence, as stated on the request form, the employee shall report his/her readiness to resume employment to his/her immediate supervisor. A medical document stating the date to when the employee is to return to work is required for those on medical leave of absence.
6. The employee may resume active employment in the area in which he/she worked immediately prior to commencement of the leave of absence, if possible. If there is no position available for the employee to return to their previous location, the employee shall be placed on a preferred list for assignment at another location where the employee’s certification permits the assignment.
7. If, at the completion of leave of absence, the employee does not report a readiness to resume employment, the Superintendent may initiate the due process requisite for termination of the employee’s contract.
8. While on a leave of absence, it is the employee’s responsibility to pay all insurance premiums or other benefits that may be interrupted by the leave of absence. The Finance Department provides the necessary information upon request.

Supersedes 4151.1 and 4152.3

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