

Code No. 409.2 LICENSED EMPLOYEE PERSONAL ILLNESS LEAVE

The board will determine the amount of sick leave that will be allowed on annual basis for licensed employees. "Day" is defined as one work day regardless of full-time or part-time status of the employee. A new employee will report for work at least one full work day prior to receiving sick leave benefits. A returning employee will be granted the appropriate number of days at the beginning of each fiscal year.

It is the responsibility of the superintendent to make a recommendation to the board annually on sick leave 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 is within the discretion of the board or the superintendent to determine the type and amount of evidence necessary. When an illness leave will be greater than three consecutive days, the employee will comply with the board policy regarding family and medical leave.

The requirements stated in the Employee Handbook between licensed employees in that certified collective bargaining unit and the board regarding the personal illness leave of such employees will be followed.

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. 1994)

29 C.F.R. Pt. 825 (2003).

Iowa Code §§ 20 ;85.33 ,.34 ,.38(3) ;216 ;279.40 (2003).

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

First Reading: July 18, 2018

Second Reading: August 20, 2018