

**Sec. 1. PERSONAL LEAVE**

Erath Excels Academy participates in the State Personal Leave Program and provides and recognizes “State Days” under Education Code, Chapter 22; therefore, accumulated state personal leave days from other Texas School Districts or public schools may be transferred in or out of the Erath Excels Academy system.

**a) *Local Leave***

All employees shall earn an additional workdays of local personal leave per school year, at the following rates:

Employees on 10 Month Employment Agreements + 4 Day Work Week = 3 additional days

Employees on 11 or 12 Month Employment Agreements + 4 Day Work Week = 4 additional days

Employees on 10 Month Employment Agreements + 5 Day Work Week = 4 additional days

Employees on 11 or 12 Month Employment Agreements + 5 Day Work Week = 5 additional days

Local personal leave shall be cumulative up to a total of 15 days, non-transferable to other Texas ISDs or Charters, and shall be taken with no loss of pay. Accumulated local leave will be available for use by the employee at the beginning of a new school year.

**b) *Medical Certification***

Any employee who is absent more than three days because of a personal or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and – in the case of personal illness – the employee’s fitness to return to work.

**Sec. 2. EXTENDED SICK LEAVE**

After all local and state personal leave days and accrued sick leave days have been exhausted, an employee shall be granted 30 days of local extended sick leave, to be used only for personal illness or disability, including pregnancy-related disability. For each day of extended sick leave taken by a professional employee, the daily rate of pay of a substitute shall be deducted, whether or not a substitute is employed. For each day of extended sick leave taken by a paraprofessional or auxiliary employee, one-half the daily rate of pay of substitute shall be deducted from that employee’s daily rate of pay. Prior approval shall be obtained from the Superintendent.

**Sec. 3. SICK LEAVE POOL**

At a time frame deemed appropriate by the Superintendent and with the approval of the Board, an employee who suffers from a catastrophic illness or injury or is absent due to the catastrophic illness or injury of a member of the employee’s immediate family may request the establishment of a sick leave pool, to which District employees may donate only state personal leave for use by

the eligible employee. If the employee is unable to submit the request, a member of the employee's family or the employee's supervisor may submit the request to establish a sick leave pool. The pool shall cease to exist when the employee no longer needs leave for the purpose requested, uses the maximum number of days allowed under a pool, or exhausts all leave days donated to the sick leave pool.

The Superintendent shall develop regulations for the implementation of the sick leave pool that address the following:

1. Procedures to request the establishment of a sick leave pool;
2. The maximum number of days an employee may donate to a sick leave pool;
3. The maximum number of days per school year an eligible employee may receive from a sick leave pool; and
4. The return of unused days to donors.

#### **SEC. 4. ASSAULT LEAVE**

Assault leave provides extended job income and benefits protection to an employee who is injured as the result of a physical assault suffered during the performance of his or her job. An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person's age or mental capacity renders the person nonresponsible for purposes of criminal liability.

An employee who is physically assaulted at work may take all the leave time medically necessary (up to two years) to recover from the physical injuries he or she sustained. At the request of an employee, the district will immediately assign the employee to assault leave. Days of leave granted under the assault leave provision will not be deducted from accrued personal leave and must be coordinated with workers' compensation benefits. Upon investigation, the district may change the assault leave status and charge leave used against the employee's accrued paid leave. The employee's pay will be deducted if accrued paid leave is not available.

#### **SEC. 5. RELIGIOUS OBSERVANCES**

An employee requesting to attend a religious observance on a regularly scheduled school day may use Personal Leave. In the event that all Personal Leave has been used, deductions from the employee's salary shall be made on the basis of the employee's daily rate of pay.

#### **SEC. 6. JURY DUTY AND OTHER COURT APPEARANCES**

Erath Excels Academy will pay a non-exempt employee his or her normal daily compensation for each regularly scheduled workday on which the employee serves in any phase of jury service. Any

employee selected for jury duty must notify his or her supervisor within 48 hours of the court's notice. The employee must also present documentation of jury service to his or her supervisor.

Employees will be paid while on leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding. Absences for court appearances related to an employee's personal business must be taken as local leave or leave without pay (if no local leave is available). Employees may be required to submit documentation of their need for leave for court appearances.

Erath Excels Academy shall not discharge, threaten to discharge, intimidate, or coerce any permanent employee because the employee serves as a juror or grand juror, or for the employee's attendance or scheduled attendance in connection with the service, in any court in the United States.

#### **SEC. 7. VOTING LEAVE**

Any employee who does not have two consecutive non-work hours while the polls are open on election day will be given up to two hours off with pay in order to vote, unless more time is required by state law. The employee should notify the appropriate supervisor before Election Day if time off is needed, so that the timing of the employee's absence can be pre-arranged.