

San Antonio Independent School District
Administrative Regulation D-07: Employee Leaves and Absences

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Available Leave Days

In accordance with board policy DEC (LOCAL), employees are provided various types of leave to use in case of absences. Certain employees may also have state sick leave that was accumulated prior to 1995. Employees who not considered exempt under the Fair Labor Standards Act may also be eligible for compensatory time.

All state and local leave days may be accumulated without limit and roll over from year-to-year.

Compensatory time for eligible employees shall be used before any accrued state or local leave is charged. An employee on leave under the Family Medical Leave Act (FMLA) is required to use compensatory time, state leave, and local leave days to run concurrently with their FMLA and temporary disability leave.

Use of Leave Days

State, local and non-duty leave can either be used for discretionary absences or non-discretionary absences. Discretionary absences are those that can be planned in advance. Non-discretionary absences are those that generally cannot be planned in advance, and involve unforeseen emergencies or illness.

Restrictions on the Use of Leave

Employees are not authorized to be absent from work if they do not have any leave available, unless the employee is on an approve leave of absence. Employees are limited to 3 consecutive workdays when state personal leave is charged. Employees absent for more than 5 consecutive workdays must contact Employee Benefits to discuss whether the employee is eligible to apply for a leave of absence. The employee would need to submit a *Request For Leave Form* [FORM D07-A], and submit a Healthcare Provider Certification from their treating physician. The employee may be required to provide documentation for any chronic absence. Failure to follow the procedural requirements for requesting a leave of absence may result in a delay or denial of leave.

Employees are prohibited from using discretionary leave on certain workdays, as listed in DEC (LOCAL), unless the employee is on an approved leave of absence. The use of

discretionary leave on these workdays may subject the employee to disciplinary action, up to and including termination:

Bereavement (Funeral Leave)

Upon the death of an immediate family member, as defined in board policy DEC (LOCAL), any benefits-eligible employee may take up to ten (10) days of absence for bereavement leave. These absences may be charged to the employee's accrued leave or the employee may be absence-deducted if no accrued leave is available. The employee shall input their absences into My Service Center in Frontline as normal. Absences documented under bereavement leave are protected absences.

The District shall grant three (3) District-paid leave days (as part of the 10 days listed above) for bereavement if the decedent was the eligible employee's current spouse/domestic partner; child, including a biological, adopted, or foster child, a current child-in-law, a stepchild, a legal ward, or a child for whom the employee stands in loco parentis; Parent, stepparent, current parent-in-law, or other individual who currently stands in loco parentis to the employee; Sibling, stepsibling, and current sibling-in-law; or Grandparent and grandchild. To qualify for this benefit, the employee must complete and submit a *Request for Bereavement Leave Form* [Form D-7C] and provide a copy of the obituary, rosary card, funeral program service, etc. This grant shall be without any loss of pay or accrued leave, and the eligible employee will be credited any accrued leave used (max of 3 days per occurrence) if they are charged once the documentation has been submitted and approved through HCM. Any additional absences (beyond the 3 District-paid leave days) will be charged to the employee's accrued leave, or the employee may be absence-deducted if no accrued leave is available.

Limitations

- Substitutes, non-permanent PT employees, contractors, partners, or any other positions that do not accrue paid leave are ineligible.
- The decedent must have passed away on or after August 5, 2024 and the eligible employee must have taken leave/absences for the purposes of bereavement leave.
- The decedent must have passed away during the eligible employee's workday calendar reporting date and end date.
- Eligible employees must complete the form and submit any required documentation to HCM.
- Eligible employees may not save or 'bank' bereavement leave, as the benefit is per occurrence.
- Any unused District-paid bereavement leave days are ineligible for the ALIP program and will not be paid out to the employee upon separation.

The completed form shall be turned into the Total Rewards Department in Human Capital Management. It may be submitted via hand-delivery to central office or emailed to: leaveofabsence@saisd.net. Total Rewards will provide notification of approval/denial of the request within 5 District business days after receiving the completed form and required documentation.

Any employee found to have provided false or misleading information, or found to have abused any leave provisions, will have their accrued leave balance charged and be subject to disciplinary action, up to and including termination.

Leaves of Absence

Employees whose positions do not require a certification by the State Board of Educator Certification (SBEC) may apply for a leave of absence or any extension of a leave of absence without pay for the employee's own illness or illness to an immediate family member, if all available paid leave has been exhausted. The leave of absence may be granted, but may not exceed 180 calendar days from the effective date of the leave. An employee who has exhausted the 180 calendar days during the current work year are ineligible to request this leave, unless they are granted a reasonable accommodation under the Americans with Disabilities Act.

Upon the expiration of the 180 calendar days, an employee is entitled to be returned to the same position held when the leave began. If that position is no longer available, they may be given a similar position or be provided an employment preference over applicants for available positions for which the employee is qualified.

When Available Leave Has Expired

After an employee has exhausted all paid and unpaid approved leave for which he or she is eligible, the District shall provide the employee written notice, at the last known home address, that their leave has expired. The employee shall then have ten (10) workdays to apply for any other leave he or she may be eligible to receive or to notify the District in writing that they are ready, willing, and able to return to work. The written notice shall be accompanied by a Healthcare Provider Certification from the physician showing that the employee is physically able to perform the essential functions of their position, with or without reasonable accommodations, as applicable.

A contract employee who does not apply for and receive approval for additional leave and who does not report and document their availability and fitness to return to work within the time set forth above, shall resign or be subject to termination. Any other employee who does not apply for and receive approval for additional leave and does not report and document their availability and fitness to return to work within the time set forth above shall be deemed to have resigned their position with the District effective upon the expiration of the ten (10) workday period set forth above.

Return to Work After Leave of Absence

An employee who has been out on a leave due to personal illness must submit a *Return to Work Form* [FORM D07-B] to Employee Benefits prior to returning to their assigned campus or department. If the release is satisfactory, Employee Benefits will clear the employee to return to work and notify Human Capital Management and the employee's respective campus/department.

If the employee is out on leave due to the need to care for an immediate family member, the employee must present a Healthcare Provider Certification certifying that the employee no longer needs to care for the family member and can be cleared to return to work. The employee must submit a *Request to Return to Work Form* [FORM D07-B] to Employee Benefits prior to returning to their assigned campus or department.

Returning employees who plan to return earlier than expected shall timely notify Employee Benefits so that the amount of leave charged to the employee can be accurately reported.

Court Appearances

Absences for court appearances where a lawfully-ordered subpoena has been issued shall not require the employee to use their accrued leave. A copy of the subpoena must be provided to the supervisor prior to the scheduled workday when the employee is required to appear in court. Only time spent by the employee to complete their required court appearance will be paid. Any time off from work taken after the completion of the court appearance shall be charged against the employee's accrued leave.

Absences for court-related appearances to the employee's personal business that do involve a lawfully-ordered subpoena shall be charged against the employee's accrued leave, or the employee will be absence-deducted without pay if no accrued leave is available.

Accumulated Leave Incentive Program (ALIP)

For information on the ALIP, please see DEC (LOCAL) or email retirement@saisd.net.

Violations of Absence and Leave Policy

Employees may be subject to disciplinary procedures, including and up to termination, for:

- failing to timely report an absence to their principal or supervisor
- excessive absenteeism – including being absent without available leave, unless the absence is exempted by another policy or law; the employee is on administrative leave with pay; or the employee is properly on an approved leave of absence through Employee Benefits
- using discretionary absences in a manner that negatively impacts the students or the mission of the District
- failing to obtain a clearance to return to work from Employee Benefits
- failing to follow any provisions in DEC (LOCAL) or this administrative regulation

Tardies

Employees must arrive to work by the time designated by their work schedules. Unexcused or excessive tardiness may result in disciplinary action, up to and including termination of employment. Unexcused or excessive tardiness may constitute good cause for termination of employment.

Form D07-A: [Request for Leave](#)

Form D07-B: [Return to Work](#)

Form D07-C: [Request for Bereavement Leave Form](#)