

# Article 8: Leaves

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## 8.1 Sick Leave

- A. Unless otherwise noted in this section, sick leave shall be used for the personal health needs of the employee.
- B. Rate - Employees shall earn 1 day per month of paid sick leave, **until an annual amount of 6 days is reached for 10-month employees, 7 days for 11-month employees, and 12 days for 12-month employees.** ~~The~~ annual total ~~of which~~ shall be available on the second day of the duty year. Employees who vacate their position and who have used more sick leave than earned shall be required to reimburse the Board and/or have their pay adjusted for the appropriate amount of days.
- C. Accumulation - Unused sick leave shall accumulate from year to year without limit.
- D. All employees may use their accumulated sick leave as of the first day of the duty year, even if they have not been able to report for duty on that day, provided the employee presents evidence of eligible illness.
- E. Employees will be allowed to use sick leave for an illness in the immediate family.
- F. Employees must request and use sick leave beginning with one (1) full hour increment and then in increments of one-half (.5) hour.
- G. **Misuse of leave shall result in deduction of full pay.**

## 8.2 Personal Leave

- A. ~~Three (3)~~ **Seven (7)** days of paid personal leave per year shall be provided to each 10-month employee. **Eight (8) days of paid personal leave per year shall be provided to each 11-month employee.** Four (4) days of paid personal leave per year shall be provided to each ~~11-month and~~ 12-month employees.
- B. Accumulation - Unused personal leave shall be allowed to be accumulated, up to a maximum of ~~five (5)~~ **ten (10)** days. Any personal leave accumulated beyond ~~five (5)~~ **ten (10)** shall be converted to sick leave. **No more than six (6) days can be used consecutively.**
- C. **When an employee has exhausted all sick leave (earned/accrued) the employee may use personal leave in the case of a personal or family illness.**
- D. Notice - The employee will notify their supervisor twenty-four (24) hours in advance of their absence except in cases of emergency. Employees shall not be required to give reasons.
- E. Personal leave may not be taken on the day preceding or following a holiday or vacation except upon approval of the Superintendent's designee. **This provision does not apply when the situation described in letter C above is in effect. In that case, an employee may use personal leave to extend a holiday or vacation period with documentation from a medical provider.**
- F. Employees must request and use personal leave beginning with one (1) full hour increment and then in increments of one-half (.5) hour.
- G. An employee on probation shall earn personal leave but must complete sixty (60) workdays of the probationary period to be eligible to use personal leave. This does not apply to employees serving a re-evaluation period due to promotion.

**H. Misuse of leave shall result in deduction of full pay.**

8.3 An employee shall be granted five (5) consecutive duty days of absence without the loss of salary for a death in the immediate family. Immediate family shall include child, parent, sibling, spouse, parent-in-law, child-in-law, sibling-in-law, grandparent, grandchild, step-child, step-parent, step-sibling, grandparent of spouse, biological parent of the employee’s child, or of anyone who has lived regularly in the household of the employee for at least two (2) years within the last five (5) years.

Upon the death of an uncle, aunt, niece or nephew, the employee will be permitted up to two (2) days of absence at any one time without the loss of salary for leave days that are duty days.

Employees may use two (2) days of the allowable bereavement leave within 100 duty days of the relative’s death.

Requests for exceptions to the provisions cited above may be submitted to the Office of Human Resources and will be evaluated on a case-by-case basis.

8.4 Annual Leave:

A. Paid annual leave shall be earned by 12-month employees based on the following schedule:

Length of Service/Years	Number of Annual Leave Days
1-5	<del>18-19</del>
6-9	<del>19-20</del>
10+	22

B. Paid annual leave shall be earned by 12-month employees on a monthly basis according to the following schedule:

	<del>18</del>	19	20	22
July	<del>1.5</del>	2	2	2
August	<del>1.5</del>	1.5	1.5	1.75
September	<del>1.5</del>	1.5	1.5	1.75
October	<del>1.5</del>	1.5	2	2
November	<del>1.5</del>	1.5	1.5	1.75
December	<del>1.5</del>	1.5	1.5	1.75
January	<del>1.5</del>	2	2	2
February	<del>1.5</del>	1.5	1.5	1.75
March	<del>1.5</del>	1.5	1.5	1.75
April	<del>1.5</del>	1.5	2	2
May	<del>1.5</del>	1.5	1.5	1.75
June	<del>1.5</del>	1.5	1.5	1.75

C. An employee on probation shall earn annual leave but must complete sixty (60) workdays of the required probationary period before being eligible to use annual leave. This does not apply to employees serving a re-evaluation period due to promotion.

D. Annual leave must be requested at least 24 hours in advance on the form prescribed by the Board. The 24-hour notification may be waived in emergency situations.

- E. Employees must request and use annual leave beginning with one (1) full hour increment and then in increments of one-half (.5) hour.
- F. The immediate supervisor shall inform the employee of the disposition of any leave request in a timely manner.
- G. Unused annual leave may be accumulated up to a maximum of 45 days. Each year, annual leave in excess of 45 days that is not used shall be automatically transferred to a non-certificated employee's accumulated sick leave. At termination of employment, a lump sum settlement shall be made at the current salary rate of any unused annual leave, but not to exceed a maximum of forty-five (45) days or the maximum established by Board policy. In the event of an employee's death, such amount shall be paid to the employee's estate or designated beneficiary.

#### 8.5 Association and Convention Leave

- A. Association officers and/or representatives may be permitted to draw upon thirty-five (35) school days for use in Association business without loss of pay. Notice of such absence shall be given as far in advance as reasonably possible to the employee's immediate supervisor, but in no case shall the notice be less than 48 hours. If the site administrator believes that such release would unreasonably adversely impact the program of operation at the site the Association and the Superintendent/designee will attempt to work out a reasonable accommodation. No one may use more than ten (10) days in a school year under this Article. The total of thirty-five (35) days shall also include leave for convention attendance under the following provisions:
  - 1. On duty days when schools are closed for students, employees may attend the Maryland State Education Association Convention without loss of pay provided that approval is granted by Superintendent/designee.
  - 2. When schools are open for students, up to ten (10) employees designated by the Association may attend the Maryland State Education Association Convention for one (1) day without loss of pay.
  - 3. Up to 20 additional days will be provided for employees who are elected to the position of MSEA delegate. The Association shall provide the Superintendent/designee with the names of the delegates.

8.6 Child Rearing Leave – Employees with 2 or more consecutive years' experience with HCPSS, at their request, shall normally be granted a leave of absence for child rearing, without pay, for such a period of time as the employee requests, but not to exceed three years per child and six (6) consecutive years in total. When an employee returns from such leave they must work for a minimum of (1) year before being granted an additional leave under this section.

Applications for such leave shall be made as soon as possible, but normally at least thirty (30) days prior to the effective date.

All leave requests must be planned to conclude at the end of a school year, except the following situations:

- 1. An employee with 12 weeks of FMLA leave available as of the birth or adoption of the child, who uses all or part of their 12-weeks of FMLA after the birth or adoption, may return to work at the conclusion of their leave.
- 2. An employee with less than 12 weeks of FMLA leave available as of the birth or adoption of the child, who uses the remainder of their FMLA may add child rearing leave up to a total of 12 weeks of leave after the birth or adoption may return to work at the conclusion of their leave.
- 3. An employee with no FMLA available as of the birth or adoption of the child may use up to 12 weeks of child-rearing leave after the birth or adoption may return to work at the conclusion of their leave.

- a. Non-probationary Employees - Child rearing leave shall be limited to non- probationary employees. Probationary employees in this context do not include those employees who are serving a new re-evaluation period due to promotion.
- b. Return from leave - The employee shall inform the Superintendent's designee, in writing, thirty (30) days prior to the time the employee wishes to return from child rearing leave or thirty (30) days prior to the expiration of the child rearing leave.
- c. Assignment after leave - Employees returning from child rearing leave shall be assigned before new persons are hired. If assigned to an equal position, the employee will be placed on the salary step and grade achieved at the time of departure. If the employee returns to a different position, the employee will be reinstated at the appropriate grade and step for which the employee is qualified.

#### 8.7 Legal Proceedings –

- A. An employee shall be granted leave with no loss of pay for attendance in any legal proceedings connected with their employment with the school system and for court subpoena when the employee is called as a witness, provided such appearances are not related to:
  1. any suit litigation brought by the employee against the Board or its employees
  2. any criminal charges brought against the employee
  3. any non-work related civil or administrative proceedings wherein the employee or a member of the employee's immediate family is a party to the proceedings.
- B. Any employee called for jury duty shall notify their supervisor of their plan for such services as early as possible and shall receive full pay and fringe benefits in addition to the remuneration for jury duty. The employee may be required to submit a certificate of attendance.

#### 8.8 Military Leave

Requests for leave for military service should be submitted to the Office of Human Resources and will be approved in compliance with current federal law/regulation.

Eligible employees will also receive up to fifteen (15) days of paid leave per year for military training.

#### 8.9 Professional Leave Without Pay

Employees shall be eligible for leave without pay for professional improvement training upon approval of the Superintendent/ designee. Employees returning from leave under this section shall be assigned before new persons are hired. Professional leave without pay shall be planned to commence and terminate at the beginning of the fall semester. Said leave shall be requested no later than July 15.

#### 8.10 General Leave

The Superintendent/designee may grant leave without pay for up to two (2) years for unusual or imperative reasons. Employees returning from leave under this section shall be assigned before new persons are hired. Employees must have completed the required probationary period to be eligible for general leave. Applications for general leave shall be treated in a confidential manner. General leave shall be planned to commence and terminate at the beginning of the fall semester. Said leaves shall be requested no later than July 15.

#### 8.11 Public Office Leave

The Board may grant a leave of absence without pay to any non-probationary employee to campaign for public office or to campaign for a candidate for public office. If granted, the length of the leave will be for a minimum of one (1) semester.

In the event the employee is elected to the public office of state senator or delegate, the Board shall grant a leave of absence without pay for a minimum of one (1) semester. In the event the employee is elected to another public office, the Board shall grant a leave of absence without pay for the duration of their service, not to exceed six (6) years.

#### 8.12 Extended Illness Leave

Any employee whose illness extends beyond the period covered by their accumulated sick leave and any additional sick leave granted to them by the Board may be granted a further leave without pay for such time as is necessary for complete recovery from such illness.

#### 8.13 Sick Family Member Leave

A leave of absence for up to one school year without pay may be granted to an employee to care for a sick member of their immediate family (child, spouse, parent). Appropriate medical statements shall be submitted to the personnel office to verify the need.

8.14 The Board agrees that up to one (1) non-probationary unit member designated by the Association will, upon request, be granted a leave of absence without pay or other benefits for a minimum of one (1) year for the purpose of engaging in Association (local, state, or national) activities. In addition, a non-probationary employee who is elected MSEA president or vice-president or NEA president or vice president will, upon request by HCEA, be granted a leave of absence without pay or other benefits for the year(s) the employee is president.

- A. An individual elected to serve as President of the Howard County Education Association shall become or remain a full-time employee of the Howard County Public School System and shall be granted leave status for the period of their term. For individuals who are part-time prior to being elected president, there is no guarantee of a return to a part-time position once the term expires.
- B. During their term, the President of HCEA shall be placed on the twelve month Central Office Technical salary scale, Grade 26, Step 23.
- C. The salary and fringe benefits for the HCEA President will be paid by the Howard County Public School System and reimbursement will be made to HCPSS by HCEA. The reimbursement will be reduced by \$10,000 annually for the person or persons administering the HCEA Sick Leave Banks. This amount is non-negotiable through FY27, as long as HCEA has someone employed in the role.
- D. Upon completion of their term(s) the HCEA President will return to their original position or a similar position and salary, and will be considered as if they were actively employed by the Board during the leave and will be placed on the salary schedule at the level they would have achieved if they had not been absent, subject to the terms of the Master Agreement.

8.15 A leave of absence without pay of up to two (2) years may be granted to any employee who serves in the Peace Corps or AmeriCorps.

#### 8.16 Rules of Leave

- A. An employee whose leave expires between March 1 and June 30 must notify the Office of Human Resources by March 1, in writing, regarding their intention to return from the expired leave. Failure to do so, will be construed

as a lack of interest in employment. However, at the Board's discretion they may still consider such placement if requested by the employee after the deadline.

- B. 11- and 12-month employees must notify the Office of Human Resources, in writing, regarding their intention to return from the expired leave no later than thirty (30) calendar days prior to the end of the approved leave period. Failure to do so, will be construed as a lack of interest in employment. However, at the Board's discretion they may still consider such placement if requested by the employee after the deadline
- C. Upon return from leave granted pursuant to 8.8, 8.14, and 8.15 ~~8.14~~ of this Article, an employee shall be restored to their former position or to a position of like nature and status and will be considered as if they were actively employed by the Board during the leave and will be placed on the salary schedule at the level they would have achieved if they had not been absent. Upon return from leave granted pursuant to sections 8.6, 8.9, 8.10, 8.11, 8.12, or 8.13, an employee may be restored to their former position or to a position of like nature and status if one is available, but will not receive increment credit for time spent on leave.
- D. The following are applicable to all general leaves unless elsewhere excluded in this Agreement:
  - 1. Other benefits to which an employee was entitled at the time their leave of absence commenced, including unused accumulated sick leave, will be restored to them upon their return; and they will be assigned to the first available position of a like nature and status.
  - 2. All requests for extended leaves of absence, extensions, or renewals of such leaves will be made in writing, and the Superintendent/designee will provide a written response to all such requests.
  - 3. Leaves taken under Section 8.10, 8.11, and 8.15 of this article shall be planned to commence and terminate at the beginning of the fall semester. Said leaves shall be requested no later than July 15.
  - 4. Nothing contained herein shall prevent an employee on leave without pay from being a substitute or doing other temporary work for the Howard County Public School System while on such leave. While on leave, the employee is still under contract with the Board, therefore they cannot accept other similar employment.
  - 5. Employees taking an unpaid/approved leave of absence shall be afforded the opportunity to continue health insurance benefits by paying the full cost thereof to the Board quarterly in advance. Retirement continuation shall be consistent with State regulations and laws.