

LICENSED EMPLOYEE PERSONAL ILLNESS LEAVE

Licensed employees will be granted fifteen days of sick leave in their first year of employment. Each year thereafter, fifteen additional days of sick leave will be granted to the licensed employees up to a maximum of one hundred twenty days. "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.

Sick leave may be accumulated up to a maximum of 120 days 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 five consecutive days, the employee will comply with the board policy regarding family and medical leave.

The requirements stated in the Master Contract between employees in the certified collective bargaining unit and the board regarding the personal illness leave of such employees will be followed.

NOTE: The first paragraph of this policy is a re-statement of Iowa law regarding sick leave for school district employees. School districts that have a different policy need to insert it there. The third paragraph is for those school districts that have a disability benefit plan. School districts that don't have a disability benefits plan should remove the paragraph.

Legal Reference: Whitney v. Rural Ind. School District, 232 Iowa 61, 4 N.W.2d 394 (1942).
29 U.S.C. §§ 2601 et seq. (2012)
29 C.F.R. Pt. 825 (2012).
Iowa Code §§ 20; 85.33, .34, .38(3); 216; 279.40 (2013).
1980 Op. Att'y Gen. 605.
1972 Op. Att'y Gen. 177, 353.
1952 Op. Att'y Gen. 91.

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Cross Reference: 403.2 Employee Injury on the Job
 409.3 Licensed Employee Family and Medical Leave
 409.8 Licensed Employee Unpaid Leave