



2023-2024

# Request For Leave Of Absence

### Employee's Information & Request:

Employee First Name:	Employee Last Name:	Last 4 Digits of Social Security#:
School/Department:	Position/Grade Level/Subject:	Telephone Phone Number(s):
Home Address:	City:	State: Zip:

I am requesting a leave of absence to begin: _____ <small>A Date <b>must</b> be entered. If leave will not be a consecutive leave enter a date and (Intermittent) beside the date.</small>	I am requesting my leave of absence to end at the conclusion of the day on: _____ <small>A Date <b>must</b> be entered. If leave will not be a consecutive leave enter a date and (Intermittent) beside the date. If the end date is unknown an estimated date must be entered. Unknown, Unavailable will <b>not</b> be accepted.</small>
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### Types of Leave Requested (check all that apply & submit required documentation):

- Educational Leave
- Medical Leave (FMLA if eligible)
- Parental Leave (FMLA if eligible)
- Workers' Compensation (FMLA if eligible)
- Other Explanation: \_\_\_\_\_

### Employee's Request for pay and additional benefits while out on leave (check all that apply):

- Sick Leave
- Personal Leave
- Special Bonus Leave
- Leave Without Pay
- Extended Sick Leave **\*\*Classroom Teachers Only\*\***
- Annual Leave
- Bonus Leave
- Voluntary Shared Leave
- Workers' Compensation
- Contagious Disease
- Other Type: \_\_\_\_\_
- Birthing Parental Leave (Paid 8 weeks)
- Non-Birthing Parental Leave (Paid 4 weeks)

**\*\*\* Effective May 11, 2023 - COVID-19 is no longer considered a Contagious Disease; employees will begin to use their own sick leave time. \*\*\***

### Important Information and Acknowledgement:

By signing below I acknowledge that I have received a copy of Form WH1420 REV 04/16 "Employee Rights Under the Family and Medical Leave Act". I furthermore understand that if I come off of payroll I will be responsible for all miscellaneous deductions made through payroll deduction, including such items as hospitalization, supplemental insurance plans (dental, vision, cancer, accident, disability, etc.), loan payments, etc. I will be responsible for making arrangements with the Finance Department to maintain coverage and forward payments. I understand that State reporting procedures require an employee on "12 month installment pay" to be paid the lump sum of earned pay upon leave of absence without pay and be returned to normal 10 month pay status upon returning from leave. For the purpose of computing time for experience credit (licenced staff), I must work no less than 120 workdays as a full time permanent employee in a normal school year to receive credit.

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Principal/Director Signature: \_\_\_\_\_

Date: \_\_\_\_\_

----- DO NOT WRITE IN SECTION BELOW ----- RESERVED FOR THE DEPARTMENT OF HUMAN RESOURCES ONLY ----- DO NOT WRITE IN SECTION BELOW -----

\_\_\_\_\_  
Executive Director of Human Resources Signature

\_\_\_\_\_  
Date

Employee Hire Date: \_\_\_\_\_

- Yes FMLA Eligible
- NOT FMLA Eligible
- Leave Approved
- Leave Denied (see below)

Denial Reason: \_\_\_\_\_

<u>Revision Reason:</u>	<u>Revision Date:</u>	<u>Revision Approval:</u>



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## Instructions:

1. Employees must complete and sign all sections of page 1 & attach documentation/proof which is required for approval.
2. Employees will then submit information to their Work-Site Principal or Director.
3. Work-Site Principal or Director should sign appropriate areas & send them to the Human Resource Department for processing.

## Frequently Asked Questions for Leave of Absence required?

1. When is a Leave of Absence request required?
  - a. A request for Leave of absence is required if an employee will be missing 10 or more days in a school year. The 10 days **do not** need to be consecutive days.
2. Who is considered an immediate family member?
  - a. "Immediate family" means the employee's: Spouse, Children, Parents, Brothers, Sisters, Grandparents, Grandchildren and Dependents living in the employee's household. Also included are the step, half, and in-law relationships. As used in the federal Family Medical Leave Act, immediate family is parent, spouse or child.
3. Can I use the same Request For Leave of Absence for multiple school years?
  - a. No, you must complete separate leave forms for each school year (July-June) you are planning on being out of work.
4. May I extend my leave after it has been approved?
  - a. An extension may be granted if necessary and additional documentation/proof is required.
5. What is the FMLA (**F**amily **M**edical **L**eave **A**ct):
  - a. According to the "**F**amily **M**edical **L**eave **A**ct" employees who are taking sick, annual, personal, extended sick leave or leave without pay because of personal illness, birth of a child or placement of an adopted or foster child, or to take care of an ill child, spouse or parent are eligible for up to 12 workweeks of leave. During those 12 work weeks, the employer's contribution for hospitalization insurance will continue to be paid by Rockingham County Schools. **The only stipulations** are that the employee must have been employed by a NC state agency for at least one year full time and worked at least 1250 hours during the previous 12 months. The employee must **also** return to work at the end of his/her approved leave. An employee that does not return to work will need to reimburse Rockingham County Schools for any employer's matching insurance premiums paid during their leave. **\*\*The employee is still responsible for any amount of insurance premium that is normally deducted from his/her check for spouse and or children's hospitalization insurance. At the end of the 12 work week period, the employee will also be responsible for the employer's matching insurance premium.**
6. What documentation or proof is necessary for the different Types of Leave:
  - a. Educational Leave: Proof of Program Enrollment and Acceptance is required
  - b. Medical Leave/FMLA: Form WH-380-E or Form WH-380-F is required
  - c. Parental Leave/FMLA: Form WH-380-E
  - d. Workers' Comp: All Paperwork completed with Finance
  - e. Other Leave: Supporting Documentation
7. Who is eligible for each type of leave:
  - a. Educational Leave: Only full-time and part-time permanent employees are eligible.
  - b. Medical Leave/FMLA: Employees must have been employed by a NC state agency for at least one year full time and worked at least 1250 hours during the previous 12 months.
  - c. Parental Leave/FMLA: Employees must have been employed by a NC state agency for at least one year full time and worked at least 1250 hours during the previous 12 months.
  - d. Workers' Comp: All Employees
8. What are the rules on using different types of leave based on The North Carolina Public Schools Benefits & Employment Policy Manual Guidelines:
  - a. Sick Leave:
    - i. (4.1.1) Only full-time and part-time permanent employees are eligible to accumulate sick leave.
    - ii. (4.1.5) An employee, who is not eligible to earn leave, cannot use previously accumulated leave.
    - iii. (4.1.2 (b)) Up to 30 days of earned sick leave may also be used to care for a child placed with an employee for adoption (These days should be consecutive and within the first 12 months following adoption.). Note: the foster care benefits are afforded under FMLA and are not designated in state policy.
    - iv. (4.1.2 (e)) Sick leave may be used due to death in the immediate family.
    - v. (4.1.2 (g)) Whenever possible, employees should give 30 days advance notice of plans to take sick leave.
    - vi. If sick leave is selected it will be used first, (4.1.5) unless the employee has selected to take Leave without pay or in the event that a Holiday or Annual vacation day was previously scheduled on the school calendar and the employee is still on payroll.
  - b. Annual Leave:
    - i. (3.1.2) Only full-time and part-time permanent employees are eligible to accumulate annual leave.
    - ii. (3.1.3 (d)) Classroom teachers who require a substitute, school media coordinators who require a substitute and teacher assistants who require a substitute may not take annual vacation leave at any time students are scheduled to be in attendance, except for a leave due to illness or a leave for new parents.
    - iii. (3.1.3 (h)) An employee who had previously earned annual vacation leave may not use this leave while employed in an interim position of less than six months, a temporary position, or a position of less than 20 hours per week.



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- c. Bonus Leave:
  - i. (3.4.3) Bonus leave can be used under the same circumstances and provisions as annual leave above.
- d. Personal Leave:
  - i. (5.1.1) Personal Leave is only earned by **classroom teachers and school media coordinators who require substitutes**. To be eligible, the teacher must be in a permanent full- or part-time position.
  - ii. (5.1.2) Teachers using personal leave receive full salary less the required substitute deduction, except for teachers using personal leave on non-required teacher workdays.
  - iii. (5.1.3 (c)) When a teacher is no longer eligible to earn personal leave, that teacher may not use previously accumulated personal leave.
- e. Leave Without Pay:
  - i. (8.1.1) All full-time permanent or part-time permanent employees may take a leave of absence without pay for up to one calendar year from the date of birth or adoption to care for a newborn or newly adopted child.
  - ii. (9.6.1) An employee may be granted a leave of absence without pay at the discretion of the superintendent and subject to rules and regulations adopted by the local board of education. With the exception of military leave, the local board of education may determine the beginning and/or ending date of such leaves based on a consideration of the welfare of the students and the need for continuity of service.
  - iii. (9.6.3) If an eligible employee goes on approved, unpaid leave of absence, the employee may retain medical insurance provided the employee pays both the employer's and the employee's portions of the insurance premium.
- f. Extended Sick Leave:
  - i. (4.2.1) Extended sick leave is available to **classroom teachers and media coordinators who require substitutes** if they are absent due to their own personal illness or injury **and have exhausted all available accumulated paid leave (sick leave, annual leave and bonus leave)**. In order to be eligible, the employee must be in a permanent full- or part-time position. Those qualifying are allowed extended sick leave of up to 20 work days throughout the regular (annual) term of employment.
  - ii. (4.2.2 (a)) In order for a newly hired employee to be eligible for extended sick leave, he or she must have reported to work.
  - iii. (4.2.2 (e)) Extended sick leave is not available beyond the waiting period of Workers' Compensation or Short Term Disability.
  - iv. (4.2.3) Employees on extended sick leave receive full salary less the required substitute deduction. The deduction is mandatory whether or not a substitute is employed. The standard deduction is \$50 per day.
- g. Voluntary Shared Leave:
  - i. (4.3.2) Only full-time and part-time permanent employees who have exhausted all available accumulated paid leave (sick leave, annual vacation leave, and bonus leave, if applicable) are eligible to receive donated leave. An employee need not exhaust personal leave and the 20 days of extended sick leave to be eligible for voluntary shared leave. Only employees in permanent (leave earning) status can participate in the voluntary shared leave program.
  - ii. (4.3.3) An employee who, due to a serious medical condition of self or of his or her immediate family, faces prolonged or frequent absences from work may apply for donated leave. Applications may also be made by a third person acting on the employee's behalf; if the employee is unable to complete an application.
  - iii. (4.3.4 (a)) An eligible employee of a public school system may receive vacation/bonus and/or sick leave from an immediate family member in any public school system, state agency, or community college. Donors may not reduce their leave balance(s) below one-half of what can be earned in a year.
  - iv. (4.3.4 (c)) Approved LEA employees may receive sick leave from both family members and non-family in LEA's. The combined total of sick leave received from non family members shall not exceed 20 days per year. Approved LEA employees may receive sick leave only from immediate family members in community college institutions and state agencies.
  - v. (4.3.4 (f)) For the purpose of voluntary shared leave, all leave donated will be credited to the recipient's sick leave account.
  - vi. (4.3.7) At the expiration of the period approved for voluntary shared leave as determined by the superintendent of the LEA, any unused donated leave must be returned on a pro rata basis to the donors.
- h. Contagious Disease Leave:
  - i. (9.4.1) When a director of a county health department, in order to control the spread of contagious disease or to protect the health of an employee, orders an employee to leave his or her work environment, the local superintendent shall:
    - (a) Reassign the employee to a safe work environment under conditions agreed to by the director of the county health department, or
    - (b) Place the employee on leave with pay for the period of time set by the medical director. Leave shall not be charged to the employee's sick leave or other available paid leave. A substitute employed for this reason shall be paid from the same source of funds as the employee (local, federal, or state).
- i. Birthing Parental Leave & Non-Birthing Parental Leave:
  - i. NC Session Law 2023-14, Part V – Paid Parental Leave for State Employees (and Public School Employees). Effective July 1, 2023 (for births or placements occurring on or after that date), public school employees will be eligible for either eight weeks (birthing parent) or four weeks (non-birthing parent) of paid leave following the birth, adoption, or placement of a child for foster care.

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