

Missoula County Public Schools

Personnel 5321P

Accrual and Conditions for Use of Leave

Certified and classified staff covered by an agreement.

Certified and classified staff shall accrue and may use sick leave according to the terms of the applicable current collective bargaining agreement or other applicable agreement.

Classified Employees Not Covered by a Collective Bargaining Agreement or Other Applicable Agreement

Classified employees not covered by a collective bargaining agreement or other applicable agreement, serving in positions that are permanent full-time, seasonal full-time, or permanent part-time, are eligible to earn sick leave credits as follows:

Sick leave credits accrue from the first day of employment. A classified employee must be continuously employed for the qualifying period of ninety (90) calendar days in order to use sick leave. Sick leave may not be advanced nor may leave be taken retroactively. Unless there is a break in service, an employee only serves the qualifying period once. After a break in service, an employee must again complete the qualifying period to use sick leave. A seasonal classified employee's accrued sick leave credits may be carried over to the next season if management has a continuing need for the employee or, alternatively, may be paid out as a lump sum to the employee when the season ends, in accordance with ARM 2.21.141.

Classified staff who are not covered by the terms of a collective bargaining agreement or other applicable agreement, may accrue sick leave in accordance with Montana law and use sick leave for illness; injury; medical disability; maternity-related disability, including prenatal care, birth, miscarriage, abortion; quarantine resulting from exposure to contagious disease; medical, dental, or eye examination or treatment; necessary care of or attendance to an immediate family member. The phrase "immediate family member" means the employee's spouse and any member of the employee's household, or a parent, child, grandparent, grandchild, brother, sister, corresponding in-law and step relative.) or, at the District's discretion, another relative for the above reasons, and death or funeral attendance for an immediate family member.

Persons employed in 2 or more positions:

Persons, whether classified or certified, simultaneously employed in two (2) or more positions, will accrue sick leave credits in each position according to the number of hours or the proration of the contract (in the case of certified) worked. Leave credits will be used only from the position in which the credits are earned and with the approval of the supervisor or appropriate authority for that position. Hours in a pay status paid at the regular rate will be used to calculate leave accrual. Sick leave credits will not accrue for those hours exceeding forty (40) hours in a work week that are paid as overtime hours or are recorded as compensatory time hours. A full-time employee shall not earn less than or more than the full-time sick leave accrual rate provided classified employees.

Approved Leave During Qualifying Period

More than Fifteen (15) Working Days

When an employee who has not worked the qualifying period for use of sick leave takes an approved continuous leave of absence without pay exceeding fifteen (15) working

days, the amount of time on leave of absence will not count toward completion of the qualifying period. However, the approved leave of absence exceeding fifteen (15) working days will not be regarded as a break in service, and the employee will not lose any accrued sick leave credits or lose credit for time earned toward the qualifying period.

Fifteen (15) Working Days or Less

An approved continuous leave of absence without pay of fifteen (15) working days or less will be counted as time earned toward the ninety-(90)-day qualifying period.

Calculation of Sick Leave Credits

Certified employees and classified employees shall earn sick leave credits at the rate stated in the current collective bargaining agreement or other applicable agreement. For those classified employees not covered by a collective bargaining agreement or other applicable agreement, full-time classified employees shall earn sick leave credits at the rate of twelve (12) working days for each year of service. Sick leave credits shall be prorated for part-time employees who have worked the qualifying period. The payroll office will refine this data by keeping records per hour worked.

Lump Sum Payment Upon Termination for Classified Employees

When a classified employee terminates from the District, the employee is entitled to cash compensation for unused sick leave credit equal to one-fourth (1/4) of the compensation the employee would have received if the employee had used the credits, provided the employee has worked the qualifying period. The value of unused sick leave is computed based on the employee's salary rate at the time of termination.

Industrial Accident

An employee who is injured in an industrial accident may be eligible for Workers' Compensation benefits. Use of sick leave must be coordinated with receipt of Worker's Compensation benefits on a case-by-case basis by contacting the Montana Schools Group Workers' Compensation Risk Retention Program (WCRRP).

Sick Leave Substituted for Annual Leave

A classified employee who qualifies for use of sick leave while taking approved annual vacation leave, may be allowed to substitute accrued sick leave credits for annual leave credits. Medical certification of the illness or disability may be required.

Procedure History:

Adopted on: August 13, 2002