

# General Overview



## Purpose

This manual was developed to assist District and school-based administration with the information needed to process Leaves of Absence that employees are eligible for because of School Board policies or Collective Bargaining Contracts. The following leaves are addressed: Charter School, Child Rearing, Family/Medical, Maternity, Military (Reservist/National Guard or Volunteer), Personal, Workers' Compensation (Paid and Unpaid), Professional Enhancement, Critical Shortage Sabbatical, and Professional Sabbatical. Payroll leaves such as Sick, Personal Reasons, Vacation Leave, Leave for Legal Commitments and Military (MIL - 30 paid days), are not addressed in this manual. For information on these leaves, please see the applicable School Board policy.

## General Overview

- ❖ Review each leave chart for specific instructions on how to initiate a leave and return the employee from leave.
- ❖ It is recommended that you meet with the employee to discuss the type of leave needed and to establish the leave start date and end date. The employee may be eligible to take some leave concurrently (i.e. a Family/Medical Leave & Sick Leave).
- ❖ When an employee is absent from work, the employee must be on an approved leave (i.e. using sick or vacation hours, a School Board approved leave, Family/Medical Leave, etc.). If an employee is not on an approved leave, he/she may be in **abandonment of his/her position** and could be terminated. The location would need to send the employee a certified letter informing him/her of the possibility of termination if he/she does not report to work. A copy of this letter should be forwarded to the Leaves Department to ensure that the employee is not overpaid. A copy of the certified letter should also be sent to the appropriate staffing department. When an employee advises that he/she will not be returning to work at the end of a leave of absence, the employee will need to request another leave or resign or retire (if eligible). When an employee submits a resignation form or letter, the location is responsible for creating the termination action.
- ❖ If the employee is using sick or vacation time, the payroll processor must report the sick/vacation hours. In CATS, these hours may be reported for an entire payroll period instead of on a daily basis.

**For the most up-to-date contract information on Leaves of Absence (Go to Websites listed below.):**

<http://www.broward.k12.fl.us/employeerelations/> or <http://web/employeerelations/>

### **Broward Teachers Union (BTU):**

Teachers (BTU)	Article #23
Technical Support Professional (BTU-TSP)	Article #15
Education Support Professionals (BTU-ESP)	Article #12

### **Federation of Public Employees (FOPE):**

Clerical/Secretarial	Article #19
Food Service	Article #11
SIU Investigators – PBA	Article #10
Maintenance, Facility Service, Campus Monitor, Security Specialist, Transportation	Article #14

## School Board Policies appropriate to Leaves of Absence:

[www.browardschools.com](http://www.browardschools.com) > School Board > Online School Board Policies:

Policy 4.2	Workers' Compensation
Policy 4.4	Disability (WC – Illness/Accident In the Line of Duty)
Policy 4407	Maternity Leave or Special Absence for Pregnancy
Policy 4408	Military Leave
Policy 4409	Personal Leave
Policy 4410	Employee's Obligation During Leave
Policy 4411	Family/Medical Leave

**Benefits Department (Leaves Manual & forms):** <http://www.broward.k12.fl.us/benefits/>

**Instructional Staffing (Forms and Procedures for Instructional Employees):** <http://web/instructstaff/>

**BRITE (For current detailed work instructions):** <http://web/erp/>

- ❖ Policy 4409 states, “An employee on personal leave may not be employed in any capacity other than as a substitute, a temporary part-time employee in the District, or as an employee at a Charter School.” If you employ a person on leave, you will need to create an action for “Working While on Leave.”
- ❖ Employees on Family/Medical or Workers' Compensation Leave or when receiving disability benefits, may not work in any capacity (unless approval is received). Employees approved for Family/Medical Leave on an intermittent or reduced leave schedule may continue to work for the District.
- ❖ Some leaves may be taken on a concurrent basis. Review each leave chart for details. Family/Medical Leave is always the priority leave; the employee's work status remains active, their job is protected and the District pays for the employee's insurance (cost for dependent coverage or other excess benefits costs will be billed to the employee on leave). School Board approved leaves are second in priority.
- ❖ There is no insurance coverage when the employee takes a School Board approved leave; therefore, the employee will receive an invoice from the Benefits Department. The employee should contact the Benefits Department at 754-321-3100 for billing questions.
- ❖ When an employee requests a School Board approved leave, the location should enter PLVs each pay period until the leave is entered by the Leaves Department. This will ensure that the employee is not overpaid.
- ❖ Infotype 0019 — Monitoring of Tasks will indicate the date the leave/s will end.

## Budget

- ❖ If an employee has been absent for 30 or more consecutive workdays and is using his/her accrued sick time, you may move the employee to the District's Sick Leave budget effective the 6<sup>th</sup> day of the employee's absence. A Sick Leave Budget iForm will need to be completed in order to move the employee. You do not need to complete the Position Request Form to reallocate funding. The ABA/Budget office will create a cost distribution record (IT0027) for placing the employee on the District's sick leave budget. The position may be overstaffed once this process has been completed. The District's sick leave budget number is 72916. When the employee returns to work, you will need to complete an iForm to delimit the employee from the sick leave budget.

- ❖ The cost distribution record (IT0027) will be delimited when a “Return to Work” action is performed on the employee.
- ❖ Each location is assigned a leave position number. If applicable to the type of leave, the Leaves Department will move the employee into the location’s leave position number; a vacancy notice will be generated and you will be able to hire for the position. For some leaves and when certain conditions are met, the employee must remain in his/her position and a vacancy notice will not be generated.

## **Initiating a Leave**

- ❖ If prior to going on a leave, an employee is absent from work and has exhausted his/her sick and vacation time, enter PLVs each pay period until the leave is entered in SAP. The start date of PLVs will be the work day following the employee’s last day worked or last paid day when using sick/vacation time.
- ❖ An employee requesting a leave of absence should be referred to the Leaves Department for forms and information. The Principal/Department Head will sign the appropriate forms and forward them to the Leaves Department. The Leaves Department will send all the appropriate notification and update SAP.

## **Returning From Leave**

- ❖ The Leaves Department will send notification to the employee’s work location and appropriate Budget office of the date the employee’s leave is scheduled to end.
- ❖ A return from leave action will need to be created by the location when the employee **physically** returns to work.
- ❖ Prior to creating the Return to Work action, the HRAP will use PA20 to access the employee’s master data records for review. This will allow you to create the appropriate return from leave action reason.
- ❖ If the employee is returning from leave but to a different work location, the employee’s last work location **or** the new location may create the return from leave action using the new location’s position number. **A reassignment/ transfer action is not needed when an employee is returning to work from leave to a new location.**
- ❖ Prior to creating the return to work action, the location will need a valid position number; the PS Level (Pay Scale/Salary Step), and the wage type/s the employee was receiving (i.e. master’s credit, basic incentive, and shift differential). Access the employee’s master data and go to Infotype Basic Pay (0008). This Infotype will give you the PS level and list the wage type/s the employee was receiving prior to going on leave.
- ❖ If the employee continued to pay for the excess cost and/or dependent coverage cost while on leave, no action is required by the employee when returning to work and coverage will continue; however, if the employee did not continue benefit coverage while on leave, the employee will be reinstated into the same plans they had before going on leave **at the employee only level**. The employee’s dependents will be ineligible to enroll into any benefit plans until the next open enrollment period.
- ❖ Whenever an employee on leave indicates that he/she will be resigning or retiring at the end of a leave, the employee should submit a Resignation/Retirement Form or letter and the location’s HRAP will create the action to terminate employment. A copy of the Resignation/Retirement form

or letter should be sent to the Leaves Department. If the employee is retiring, they will need to make an appointment with a Retirement representative in the Benefits Department. If the employee is eligible for retirement, the Benefits Department will have the necessary action created in SAP. If the employee is eligible and wishes to extend their time on leave, the employee should be referred to the Leaves Department. A copy of the approval letter and other appropriate documents will be sent to the employee's work location.

## **Notification**

An employee on leave will be sent notification of the leave end date by the Leaves Department (the work location will receive a copy of the notification).

- **Family/Medical Leave:** The Leaves Department notifies the employee and the work location at least two (2) weeks prior to the end of a Family/Medical Leave.
- **Board Approved Leaves** (Charter School, Child Rearing, Maternity, Professional Enhancement and Personal): Employees on School Board approved leaves are sent Employment Intentions forms late January or late April (depending on the semester that the leave began) from the Leaves Department. The employee is required, by School Board policy, to return their intention by a specific date. The Leaves Department will notify the employee's work location and appropriate Staffing Department of the employee's intention. The employee will be notified if a position is available to return to.
- **Other School Board Approved Leaves** (Critical Shortage or Professional Sabbatical): The Instructional Staffing Department sends the Employment Intentions Forms to the employee then notifies the work location.

## **Forms**

All required applications and forms needed to request a leave of absence are located on the web at: <http://www.broward.k12.fl.us/benefits/> or <http://web/benefits/> under the Rates, Forms & Documents title.

## **Approval/Denial Process:**

- The employee completes the appropriate leave application (attaches any additional required forms); the Principal/Department Head signs the application and forwards to the Leaves Department.
- If the leave is approved, an approval letter is sent to the employee. A copy of the approval letter is also sent to the employee's work location, Benefits, Personnel Records and appropriate Budget office. The Leaves Department will enter the leave action in the SAP system.
- If the leave is denied, a denial letter is sent to the employee, the employee's work location, Personnel Records and appropriate Budget office.

**Note:** A vacancy will be created when an employee is placed on a School Board approved leave. No vacancy is created when an employee is placed on FMLA leave; however, if the employee requests a School Board approved leave to begin immediately at the end of FMLA, a vacancy will be created as of the 61<sup>st</sup> working day of the leave.

## **Instructional Employee Information**

- ❖ In some cases (due to a Memorandum of Agreement/Understanding), a vacancy will not be created when an instructional employee is placed on a School Board approved leave.

- ❖ Instructional employees may be employed in a teaching position outside of the District while on leave.
- ❖ An instructional employee on a School Board approved leave without pay is guaranteed a position in the District, but not necessarily at the school/location from which they began leave. To guarantee the leave employee a position at the school from which leave began, the school may choose to advertise for a replacement teacher. The replacement teacher is hired for the current school year only and is not guaranteed employment the following year.
- ❖ An instructional employee on a Board approved leave may rescind his/her leave and return to work earlier than anticipated. The employee must submit a letter to the Leaves Department rescinding the leave. If no position is available at the school from which the leave began, the Instructional Staffing Department will find placement for the teacher.

### **Administrative Employee Information**

- ❖ An Administrative employee on a School Board approved leave may not be employed in any capacity other than as a temporary part-time employee in the District, or as an employee at a Charter School.
- ❖ School-based and District-based administrative employees are appointed on an annual basis. Therefore, the Board shall not assume a contractual obligation for re-employment upon completion of leave.

### **Non-Instructional Information**

- ❖ A Non-Instructional employee on a School Board approved leave may not be employed in any capacity other than as a temporary part-time employee in the District or as an employee at a Charter School.
- ❖ A Non-Instructional employee may return early from leave if a position exists for which the employee is qualified for. The employee must apply and be selected for the position.
- ❖ If the employee requests to return to work at the beginning of the new school year, during the Reappointment process, it will be determined if a position exists at the employee's former location for the employee to return to. If no position exists, the employee is placed on layoff and will be recalled according to Collective Bargaining Agreement rules.