

# Multnomah Education Service District

Code: **GCBD**  
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3510-2; 3511.4-6; 3520; 3510-  
1A, 3510-2; 4500; 4510;  
3510-1

## Leaves and Absences

### Sick Leave

MESD shall allow each employee at least 10 days sick leave at full pay for each school year or one day per month employed, whichever is greater.

Unless requested for protected leave certification, MESD may request certification by the employee's duly licensed healthcare professional for sick leave in excess of five (5) consecutive workdays, warranting that the illness or injury prevents the employee from working.

Sick leave not taken shall accumulate for an unlimited number of days.

An employee may transfer up to 75 days sick leave accumulated in another Oregon districts except that such transfer shall not exceed that carried by the most recent employing district. This transfer of sick leave shall not be effective until the employee has completed 30 working days at MESD.

For purposes of determining retirement benefits an employee may transfer an unlimited number of unused accumulated sick leave from another Oregon district employer.

Sick leave accrues in accordance with provisions of applicable collective bargaining agreement or other agreement. Sick leave shall accrue as long as the employee is on paid leave. If an employee terminates employment with MESD during the employee work year, and has utilized more sick leave than accrued to the employee, wages for days missed in excess of sick leave days accrued shall be deducted from the employee's final salary.

Notwithstanding the above, sick leave shall not accrue during any unpaid leave which exceeds ten (10) working days. On the job injuries resulting in absence of an employee due to a compensable injury as defined in Oregon Revised Statutes will be compensated as follows:

1. The employee may receive an MESD check equal to the difference between the Workers' Compensation payments for the pay period and the normal pay and be charged with sick leave on a pro rata basis;
2. The employee may keep the Workers' Compensation check and receive no MESD check and be charged no sick leave.

Sickness or other unavoidable circumstances that prevent a teacher from teaching 20 school days immediately following exhaustion of sick leave accumulated under Oregon law ORS 342.545 shall be sufficient reason for the Board to place the teacher on unpaid leave for the remainder of the regular school year or until the teacher's disability is removed and he/she is able to return to work. If the teacher is still unable to resume teaching responsibilities at the beginning of the next school term, the Board may terminate the teacher's employment without penalty on June 30 following the exhaustion of sick leave.

### **Accrual of Other Leaves**

PTO and professional leave will accrue in the first month of the employee's fiscal school year as long as the employee is working.

### **Leaves of Absence without Pay**

An employee shall be granted unpaid leave in accordance with provisions of applicable Collective Bargaining Agreement or other agreement.

Before requesting unpaid leave, an employee must first exhaust all other applicable and available paid leave.

### **Leaves of Absence with Pay**

An employee, upon written application and approval of the superintendent, may obtain leaves of absence as follows:

1. Military leave shall be granted for periods of 15 calendar days, active duty for training in any one calendar year for National Guard, National Guard Reserve, reserve component of the Armed Forces of the United States and of the United States Public Health Service;
2. Jury duty shall be granted as required to fulfill the requirements of the specific court;
3. Court appearances before a court, legislative committee or other judicial or quasi-judicial body shall be as required by subpoena or other proper directive.

Temporary employees are not eligible for paid leaves of absence. Temporary employees may be granted unpaid leaves at the discretion of the Superintendent when deemed in the best interest of MESD.

All paid and unpaid leaves of absence are to be taken for the purposes authorized. Employees who take leaves for other than authorized purposes may be subject to disciplinary actions, including dismissal.

Except as provided in any applicable collective bargaining agreement, a supervisor has authority to solicit the purpose of a leave, but is not required to do so. Whether or not solicited, if a supervisor does acquire knowledge that a leave was taken for other than authorized purposes the employee may be subject to disciplinary actions, including dismissal.

## Professional Leave

May be granted to employees by the superintendent when the employee's membership in a professional organization requires leave to attend conferences or to perform duties associated with such membership. Such leave ordinarily will not be approved unless attendance at such conferences has a direct relationship to the employee's service to MESD.

## Absences

No leaves of absence, whether paid or unpaid, shall be taken for any purpose other than as stated in the applicable Collective Bargaining Agreement or Board policy. Upon taking three unauthorized and unprotected leaves of absence, an immediate supervisor may initiate counseling, disciplinary action and/or a program of assistance for improvement in response to the unauthorized/unprotected absences.

END OF POLICY

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### Legal Reference(s):

[ORS 332.507](#) [OAR 581-024-0245](#)  
[ORS 342.545](#)  
[ORS 342.610](#)  
[ORS 408.290](#)  
[ORS 659A.046](#)

Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 et seq. (1988) 29 CFR Part 1630.  
Family and Medical Leave Act of 1993, 29 U.S.C. Section 2601 et seq. (1988) 29 CFR Part 825.  
Knapp v. City of North Bend, 83 Or. App 350 (1987); Rev'd, 304 Or. 34 (1987).

### Cross Reference(s):

GA - Personnel Policy Goals  
GAB - Position Descriptions  
GCBDB - Return to Work  
GBEA - Workers Compensation  
Employee Collective Bargaining Agreements  
Confer/Consult