

Time off (TO) may be submitted to the immediate supervisor/designee in advance of the anticipated absences. In the case of an emergency or extenuating circumstance, notification will be made at the earliest practical time.

State Days

All District employees, excluding substitute or temporary, are entitled to days earned prorata consistent with their work assignment. [See DEC(LEGAL)]

State days are earned at a rate of five days per year with no limit on accumulation or restriction on transfer among districts. Accrual is based solely on days of employment.

Accumulated totals of state sick days accrued prior to May 30, 1995, will remain available to employees.

If an employee separates from employment with the District, the employee will maintain his or her state days.

District Local Days

Full-time District employees may earn five District local days per school year. Determination of the number of days earned is prorated based on the number of days worked per school year. The days may be used at the employee's discretion.

Campus-based employees may be limited in their use of District local days during the following:

1. The day before a school holiday;
2. The day after a school holiday;
3. Days scheduled for end-of-semester or end-of-year exams;
4. Days during the first week of school or during the last week of school; or
5. Days scheduled for state-mandated assessments.

If an employee separates from employment with the District, the employee will lose his or her local days.

In honor of the 2021 Juneteenth National Independence Day, employees in full-time positions on June 18, 2021 will receive one additional local day for the 2020-2021 school year ending August 31, 2021. The additional local day will not be prorated based on the hire date.

Limitations

In deciding whether to approve or deny District local days, the supervisor or designee will not seek or consider the reasons for which an employee requests to use time off. The supervisor or designee will, however, consider the effect of the employee's absence

on the education program or District operations, as well as the availability of substitutes.

The District will accommodate an employee's request to be absent from duty so long as it does not cause undue hardship on the department and/or District operations. The absence should not exceed more than five consecutive days in most circumstances.

Non-Duty Days

Non-duty days represent non-paid, non-worked days. Non-duty days are advanced on September 1 and should be used by the end of the school year, August 31. The amount of non-duty days advanced will be prorated based on the employee's start date and the number of workdays designated for the position.

Non-duty days may be used at the discretion of the employee and the supervisor based on the needs of the department.

Non-duty days not used during the year in which they were advanced due to department needs are carried over to the following school year. Carry-over non-duty days not used by December 31 of that year will be forfeited.

The District may designate blackout dates to have all the departments fully staffed for the opening of the school year. Non-duty days will not be allowed to be used during this period. Blackout periods will vary each year, based upon the school calendar.

If an employee separates from employment with the District, the employee will lose his or her non-duty days. Non-duty days are non-paid days. If they are used, they will not be included in the employee's final calculation of days worked.

Days Prorated and Accrued

If an employee separates from employment before the last duty day of the school year, the employee's final paycheck will be reduced for state days or local days that the employee used beyond his or her pro rata entitlement for the school year.

Employees on an approved leave shall receive their entitlement of state days and local days without proration.

Reporting Absences

Employees will notify their immediate supervisor or designee (in accordance with department/campus procedures) as soon as possible if it is necessary to be late for work or absent for any reason. In the event of an emergency, notification should be made at the earliest practical time, especially if a substitute is required to cover an employee's responsibilities.

Excessive Absences / Tardies

Absences by an employee on an approved leave, accrued compensatory or vacation time are not considered excessive. When an

employee's absences and/or tardies become a performance concern and/or establish a pattern, such absences may be considered excessive. If absences and/or tardies are deemed excessive, the employee may be subject to disciplinary action up to and including termination of employment.

Dock Days

If an employee has used all available days (time off, non-duty, compensatory time or vacation), the employee will be docked. Employees with available days shall not be docked or receive a deduction in pay. Additionally, employees who have received additional time off from the Benefits Review Committee (BRC) shall not be docked.

Job Abandonment

An employee may be deemed to have voluntarily resigned from the District if the employee is:

- Absent for five consecutive days; and
- Not on an approved leave; and
- Unable to be reached via email, phone, or mail by the supervisor and Employee Relations; and/or
- Refusing to report to work.

[See DCD, DF, and DFBB]

No-Show

An employee is a no-show if he or she fails to report to work on his or her first assigned scheduled workday. A no-show employee will be separated from the District.

Pay Status

If the employee has Time Off [as defined in DEC(LOCAL)] available to cover the duration of the leave, the employee will be paid.

If an employee uses more days than earned, the cost of unearned days may be deducted, subject to Fair Labor Standards Act (FLSA) guidelines, from the employee's paycheck. [See DEA(LEGAL)] The employee will be required to reimburse the District for days used that were unearned.

Benefits Review Committee

The BRC reviews ADA accommodations, leaves, and retirement incentives. Per the Neutral Absence Policy, the committee may also allow for extensions as a reasonable accommodation.

The BRC is composed of representatives from Human Capital Management, Health Services, Chief of Staff, School Leadership, Risk Management, and Legal Services. However, representatives from Legal Services are not voting members of the BRC. The BRC will have the authority to request the participation of subject-matter experts as needed on a case-by-case basis.

The requests include, but are not limited to, the following:

- Americans with Disabilities Act (ADA) request;
- American Sign Language (ASL) request;
- Professional leave;
- Bereavement leave;
- Hardship leave;
- Emergency leave;
- Retirement Service Award (RSA);
- Alternative Work Arrangement;
- Fitness for duty; and
- Sick Leave Bank (SLB).

**Leave and Benefit
Program Assistance**

Contact the Benefits Call Center at (972) 925-4000 for assistance with the following leaves:

- Family and Medical Leave (FML),
- Temporary Disability / General Medical Leave,
- Military Leave, and
- Hardship Leave.

Contact (972) 925-4300 or benefits@dallasisd.org, or visit the [Benefits Department webpage](#)¹ for assistance with the following:

- Emergency Paid Sick Leave;
- COVID Vaccine Leave;
- Assault Leave;
- Bereavement Leave;
- Professional Leave;
- Court Appearances/Subpoenaed Witness Leave;
- Emergency Leave;
- Mandatory Employee Assistance Program Leave;
- Police Officer Mental Health Leave;
- Fitness-for-Duty Leave;

- Sick Leave Bank; and
- Retirement Service Award.

English- and Spanish-speaking representatives are available to assist from 7:30 a.m. to 7:00 p.m. on weekdays.

Family and Medical Leave

All employees who have been employed by the District for at least 12 months (need not be consecutive) and have worked for 1,250 hours during the previous 12-month period will be eligible for family and medical leave (FMLA). [See DECA(LOCAL)]

An eligible employee's Family and Medical Leave Act leave entitlement is limited to a total of 12 workweeks of leave during a 12-month period for any one or more of the qualifying reasons. The 12-month period in which entitlement occurs is the "rolling" 12-month period measured backward from the date an employee uses any FMLA leave. [See DECA]

For qualifying reasons, see DECA.

This leave may run concurrently with workers' compensation leave. [See DECA]

An employee may apply by contacting the Benefits Department. The employee shall adhere to required notification timelines.

Emergency Paid Sick Leave

During a public health emergency, employees may be eligible for Emergency Paid Sick Leave (EPSL) which allows up to 80 hours or 10 days paid leave for the employee's positive COVID test result. The days for which an employee is granted the leave will not be deducted from the employee's paid time off (PTO). An employee may apply by contacting the Benefits Department.

COVID Vaccine Leave

Up until November 15, 2021, an employee may be eligible for up to four hours of paid leave per vaccination dose for absences due to the COVID vaccination process. Time will not be deducted from the employee's paid time off. [See Extended Emergency Status, below]

Temporary Disability / General Medical Leave of Absence

Employees may be eligible for temporary disability/general medical leave if they are not eligible for or have exhausted FMLA leave.

An employee will be eligible for one of the following reasons:

1. For the employee's own serious health condition, as defined by the FMLA standards (see DECA); or
2. With medical certification from a physician, for a non-serious medical condition, when such conditions interfere with the performance of regular duties.

An employee will apply by contacting the Benefits Department. The employee shall adhere to required notification timelines.

This leave runs concurrently with workers' compensation leave.
[See DEC(LOCAL)]

Neutral Absence Policy

If an employee does not return to work within 180 days of being out on an approved medical leave, the District will provide the employee with written notice that the maximum amount of time allotted by the District for the leave has been exhausted. The employee may be terminated for exhausting the maximum amount of time allotted by the District for a medical leave. [See DAA(LEGAL)]

The employee's eligibility for reasonable accommodations, as required by the Americans with Disabilities Act (ADA) [see DAA(LEGAL)], will be considered before the recommendation for termination.

If the employee is terminated for exhausting the maximum amount of time allotted by the District for a medical leave, the employee may be eligible for rehire.

Military Leave

Military leave is for employees who are members of the state or federal military forces or of the reserve components of the United States Armed Forces ordered to service by the proper authority.
[See DECB]

Workers' Compensation Leave

The District provides workers' compensation benefits to employees who suffer a work-related illness or who are injured on the job.
[See CRE(LEGAL)]

An employee receiving workers' compensation wage benefits will be assigned to FMLA or general medical leave, if eligible. [See CRE(LOCAL)]

The duration of the leave will be up to 180 days with proper medical certification. This leave runs concurrently with FMLA and general medical leave. An employee's failure to return to work after 180 days may result in termination of employment.

Assault Leave

Assault leave is a paid leave provided to an employee to allow the employee to recuperate from physical injuries sustained as a result of an assault. [See DEC(LEGAL)] The assault should be reported within 24 hours to the immediate supervisor.

The following notifications shall be implemented by the supervisor in the following order:

1. Police and Security to activate the police department investigation;

2. Risk Management; and
3. The Benefits Department.

The employee must provide medical documentation by a certified medical professional with subject matter expertise within 15 business days of the request. The medical documentation should indicate the amount of time off necessary to recuperate from physical injuries sustained as a result of the assault. An employee must recertify for the assault leave every 30 days.

The assault leave may not exceed two years from the date of the assault. An employee's failure to return to work after the expiration of an approved assault leave period may result in termination of employment.

Hardship Leave

Hardship leave may be granted only if the employee is not eligible for or has exhausted any other leave (e.g., FMLA leave, temporary disability leave, general medical leave, or workers' compensation).

The leave may be granted for the following reasons:

1. Serious illness of the employee or a family member; or
2. Personal hardship for circumstances beyond the employee's control.

Requests must be submitted, with appropriate documentation, to the Benefits Department within 15 days of an emergency situation. The application is available on the [Benefits Department webpage](#).

Leave may be paid if the employee has available time off. Hardship leaves may be granted up to 20 business days in a school year. An extension of an additional 20 business days may be granted by the BRC with proper documentation.

Bereavement Leave

Bereavement leave of up to three days may be granted for the death of a family member. The days will not be deducted from the employee's time off. Additional days of absence may result in a deduction of accumulated time off.

For the death of a colleague, the employee may be granted up to four consecutive hours to attend the services.

The application is available on the [Benefits Department webpage](#).

Professional Leave

Professional leave may be granted if the activity is in the best interest of the District. Requests must be submitted to the BRC. The application is available on the [Benefits Department webpage](#).

The leave may be granted for up to one school year. An employee may choose a paid status if time off is available. Additional leave

may be granted by the BRC. Leave requests will not be granted for full-time employment elsewhere.

The position of an employee on an approved professional leave will not be considered vacant and will not be filled.

**Court Appearances /
Subpoenaed Witness
Leave**

A District employee, excluding substitutes or temporary employees, will be paid by the District for absences due to compliance with a valid subpoena or for jury duty. Absences will not be deducted from the employee's pay or days. [See DEC(LEGAL)]

Employee absences for voluntary court appearances related to the employee's personal business or reasons will be deducted from the employee's accrued days or taken without pay, at the option of the employee.

Emergency Leave

Emergency leave includes, but is not limited to, unforeseen natural disasters or destruction of a vehicle or domicile by flood, fire, or storm involving the employee or a member of the employee's family.

Emergency leave also applies to individual campus/work site closures due to emergencies and/or unforeseen circumstances.

Employees may be granted three paid days of emergency leave by the BRC.

The days will not be deducted from the employee's time off. Additional days of absence will result in a deduction of accumulated time off.

**Extended
Emergency Status**

Extended emergency status will be utilized when a campus, work site, or District-wide closure is anticipated due to unforeseen natural disasters, during an epidemic, or any circumstance that would result in a closure or an extended closure of the District or individual work sites/campuses. This extended emergency status will be available to both exempt and nonexempt employees and will be available for both campus-based and central staff employees.

During extended emergency status, employees may be required to work remotely or onsite to meet the needs of the District as part of the compensation received during the emergency status (i.e., activities such as developing online curriculum and activities, all aspects of facilitating student learning, maintaining essential business office functions, providing staff support).

Extended emergency status may be applied when it serves the public purposes of maintaining morale, reducing turnover, and ensuring continuity of District staffing.

The days or half days (four hours or less) for which an employee is granted extended emergency status will not be deducted from the employee's paid time off (PTO).

Nonexempt employees may receive premium pay as outlined in DEA(LOCAL).

Exempt personnel may be eligible to earn flex time for work completed onsite under an extended emergency declaration at the discretion of the employee's supervisor.

The length of the extended emergency status will be determined by the Superintendent of Schools or designee.

Administrative Leave

An employee may be placed on administrative leave with pay by the Superintendent of Schools or designee at any time the Superintendent of Schools or designee determines that the District's best interests will be served by the leave.

Contact (972) 925-4026 or employeerelations@dallasisd.org, or visit the [Employee Relations webpage](#)² for assistance.

**Leave of Absence /
Administrative Leave
Exceeding 60 Days**

An employee who takes a leave of absence or that is placed on administrative leave that exceeds 60 days during a rolling 12-month period may not be guaranteed placement in his or her previous assignment.

A supervisor who has an employee on a leave of absence or an administrative leave that exceeds 60 days, may request an additional FTE based on extenuating circumstances. A supervisor must complete the Request for an Additional FTE form on the [Benefits Department webpage](#) and provide HCM with justifications concerning the request.

HCM, in collaboration with the requesting department's leadership and Financial Services, will review requests and render decisions.

Priority Return

Priority return is a paid status assigned to an employee who is waiting for an assignment after being released to return to work from an approved leave. The District will return the employee in an equivalent assignment and will make its best effort to return the employee within five days.

Unapproved Leave

An employee will be placed on an unapproved leave status, which may be unpaid, under any of the following conditions:

1. Employee who has applied for leave but has not returned the required leave paperwork by the submission deadline and is not at work;

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2. Employee who has been released to return to work by a certified medical professional but does not report to work;
3. Employee who has not provided appropriate return-to-work documentation by the leave end date and is not at work; or
4. Employee whose workers' compensation leave has been denied, has not applied for FMLA or general medical leave, and is not at work.

Employees on unapproved leave will be subject to disciplinary action up to and including termination, in accordance with District policies. [See DCD, DF, and DFBB]

Abuse of Leave and Absences

Employees who abuse Benefit options and refuse to report to work will be subject to disciplinary action, up to and including termination, in accordance with District policies. Such abuse will be considered job abandonment and voluntary resignation. [See DCD, DF, and DFBB]

Employee Assistance Program

The Employee Assistance Program (EAP) is a confidential counseling and referral service that helps employees and their families support mental health and wellness.

Services provided within the program include professional, personalized, and confidential counseling related to the emotional, mental, and personal health issues that may affect job performance.

Mandatory Employee Assistance Program Leave

An employee may be placed on a mandatory EAP leave of absence with pay if the employee's condition interferes with the essential job functions.

Within five days of notice, the employee must call to schedule an appointment with EAP.

A return to work release form with the date of the initial intake session and details of the treatment plan must be provided to the Benefits Department within five days of the last treatment.

Noncompliance will be reported to the Benefits Department immediately and may result in disciplinary action. Continued performance problems while actively involved in the formal referral process may also result in disciplinary actions.

Police Officer Mental Health Leave

A police officer who experiences a traumatic event in the line of duty may request a mental health leave which will be implemented through the District's mandatory EAP program. The Police and Security Command Staff may also request a mental health leave for a police officer. The mental health leave of absence will be with pay for up to three days per event.

The request shall be submitted on the mental health request form. The mental health leave request form must be approved by the supervisor and Command Staff member. The Command Staff member should submit the form to the Benefits Department within 24 hours of the traumatic event.

**Fitness-for-Duty
Leave**

An employee may be placed on a fitness-for-duty leave of absence with pay if the employee's condition interferes with the essential job functions or poses a direct threat to health or safety to the District, self or others.

If the supervisor suspects that the employee's physical, mental, or emotional health is adversely affecting his or her performance and responsibilities, the supervisor may recommend to the Benefits Department that the employee undergo a medical or psychological exam by a certified medical professional with subject matter expertise. The District shall not assume the cost of the initial examination, and the certified medical professional or licensed mental health-care professional may be selected by the employee.

Appropriate documentation on the nature and specifics of the referral shall be submitted to the Benefits Department within three days of the incident.

Within five days of notice, the employee must call to schedule an appointment with a certified medical professional. The employee must provide fitness-for-duty documentation from a certified medical professional with subject matter expertise within 15 business days from the date of the fitness-for-duty leave notice. Documentation of fitness-for-duty must address the employee's ability to perform the essential functions of the employee's job.

A return-to-work release form with the date of the initial intake session and details of the treatment plan must be provided to the Benefits Department within 15 days of the last treatment.

Failure to undergo an examination or provide fitness-for-duty documentation within 15 days may result in disciplinary action. The District may direct the employee to undergo an examination for a second opinion by a certified medical professional or mental health-care provider designated by the District, under which circumstances the District shall assume the cost of the examination.

The employee shall be responsible for expenses incurred after the examination, such as further treatment, psychotherapy, counseling, medication, diagnosis, or further tests.

Sick Leave Bank

Employees may be approved for up to 20 Sick Leave Bank (SLB) days per school year. An extension of an additional 20 business

days may be granted by the Benefits Review Committee (BRC) with proper documentation.

The member request to utilize the SLB must be submitted within 15 days from the date the employee goes from a paid to an unpaid leave of absence status.

Employees requesting SLB days must do so by submitting their application to the BRC. The application is available on the [Benefits Department webpage](#).

Decisions by the BRC to deny an application for use of the SLB are final with no right of appeal.

Approvals will be based on the number of days remaining in the SLB. If all days are exhausted from the SLB, no additional applications will be approved until September 1.

Retirement Service Award

Employees are eligible for the Retirement Service Award (RSA) if they meet the following requirements:

1. Complete the electronic separation process. Select the retirement option.
2. Complete the RSA application form by the designated timeline located on the [Benefits Department webpage](#).

Retiring employees who qualify may receive a partial cash payment for unused local days. The exact rate to be paid will be determined upon calculation of all the participants' remaining local days for the year. There is no cap to the number of local days paid.

Employees who do not submit their forms by the designated deadline will not be eligible for the award. The amount of time the employee served is not a requirement for participation in the program.

Retiring employees may also donate unused local days to the SLB. Employees may also split days between the RSA and the SLB.

Emergency District Closures

The Superintendent of Schools will have the authority to dismiss school for a part of a day or for longer periods of time, if necessary, in case of unusual or emergency situations. [See CKC(LOCAL)]

Absences during emergency District closures such as inclement weather [see CKC(LOCAL)] and/or unforeseen circumstances shall be governed by the following provisions:

- Campus-based employees: Campus-based employees will follow the inclement weather make-up days as outlined by the applicable school year calendar.

- Business Services: Central-based employees will be excused for each day the District is closed. Time off will not be taken from employees, and the employee's time will not be docked. Employees will not be required to make up the days.
- Essential Personnel: As determined by the Superintendent of Schools or designee, essential personnel are District employees called to duty to perform essential tasks when the District is closed.

Essential personnel may be exempt or nonexempt. Nonexempt essential personnel will receive overtime rates or compensatory time based upon supervisor approval for time worked. At such time as the Superintendent of Schools or designee declares the District reopened, employee compensation reverts to the standard practice in accordance with the District's Compensation Manual. If the employee fails to report, the employee's time off will be charged and/or salary adjusted accordingly.

Essential personnel may include, but is not limited to, the following:

- Police and Security
- Operations

Exceptions

Exceptions may be made to this regulation by the Superintendent of Schools or designee.

Adoption or Last Amendment Date

This regulation was last amended on September 17, 2021.

¹ Benefits Department webpage: <https://www.dallasisd.org/benefits>

² Employee Relations webpage: <https://www.dallasisd.org/employeerelations>