



SUBJECT: LEAVES OF ABSENCE

- a) In general, the following will apply to leaves of absence:
1. Leaves of absence will be administered by the Superintendent of Schools.
 2. The Board of Education reserves the right to grant leaves of absence for purposes or under conditions not contemplated or considered in this Policy.
 3. The Board of Education may take appropriate disciplinary action, pursuant to any applicable laws, rules and collective bargaining provisions, against an employee who falsely requests or improperly uses a leave of absence.
 4. Except by permission of the Superintendent of Schools, in writing, the purpose or conditions of a leave of absence may not be altered.
- b) Leaves of absence pursuant to contracts:
1. Employees who are members of a collective bargaining unit:

The Board of Education authorizes the Superintendent of Schools to approve requests for leaves of absence pursuant to the provisions of the collective bargaining agreements in effect between the District and each bargaining unit.
 2. Employees who are not members of a collective bargaining unit and do not have a contract with the District:

The Board of Education authorizes the Superintendent of Schools to approve a request for a leave of absence by an employee who is not members of a collective bargaining unit, and who does not have a contract with the District, when the request is consistent with the provisions of the collective bargaining agreement in effect between the District and the bargaining unit most compatible with the employment status of the employee.
 3. Employees who are not members of a collective bargaining and who have an employment contract with the District:

The Board of Education authorizes the Superintendent of Schools to implement the provisions for leaves of absence, if any, contained in each of these contracts.
- c) Unpaid leaves of absence not covered in section (b)(1) above:
1. Subject to the limitations enumerated in this Policy, the Board of Education authorizes the Superintendent of Schools to approve the following unpaid leaves of absence:
 - i. For a period of time, not to exceed one school year, for approved graduate study. This leave may include any required internship experience.
 - ii. At the expiration of a paid sick leave of absence, to extend the leave of absence for a period of time not to exceed the end of the school year next succeeding the school year in which the paid leave of absence commenced.



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2. Unpaid leaves of absence may not be used to extend vacation periods, to take vacations, to engage in other occupations or to provide additional personal leaves, except that the Superintendent of Schools will have the discretion, where circumstances warrant, to approve leaves of absence for these purposes.
3. Unpaid leaves of absence pursuant to this section will not be granted unless the services of a substitute employee, satisfactory in the discretion of the Superintendent of Schools, can be secured.
4. Except where it interferes with an employee's legal or contractual rights, the length and timing of unpaid leaves of absence will be determined by the District's convenience.

d) Other leaves of absence:

1. Family and Medical Leave

Eligible employees may take a leave of absence pursuant to the Family and Medical Leave Act (FMLA) and leave prior to the use of FMLA benefits as set forth in Board Policy #6551.

2. Disaster Volunteer Leave

Upon presentation of a written request from the American Red Cross, employees certified by the American Red Cross as disaster volunteers will be granted paid leave for up to 20 days in any calendar year to participate in specialized disaster relief operations. This leave will be provided without loss of seniority, compensation, sick leave, vacation leave or other overtime compensation to which the volunteer is otherwise entitled.

3. Screenings for Cancer

Employees will be granted paid leave for a sufficient amount of time, up to four hours on an annual basis, to undertake a screening for cancer. This will be excused leave and will not be charged against any other leave to which the employee is entitled. This leave is not cumulative and expires at the end of the calendar year. The District may require that the employee submit medical documentation stating that the employee's absence was for the purpose of cancer screening.

4. Blood donation

i. The District will, at its option, either:

- A. Grant three hours of unpaid leave in any 12 month period to an employee who seeks leave for blood donation off of the District's premises. Employees will be required to provide proof of off-premises blood donation issued by the collection center. Subject to the provisions below, employees intending to donate blood pursuant to this paragraph must provide at least three workdays of notice to the District.



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- B. Allow its employees paid leave during workhours, at least two times per calendar year (that are at least 60 days apart), at a convenient time and place set by the Superintendent of Schools/designee, to participate in a blood drive. Leave taken pursuant to this paragraph will be paid and employees will not be required to use accumulated vacation, personal, sick, or other leave time. Employees will be allowed sufficient leave time to donate blood, to recover, including partaking nourishment after donating, and to return to work. Notice of the time and place at which employees may donate blood pursuant to this paragraph will be prominently posted at least two weeks in advance and prior to December 1. Subject to the provisions below, employees intending to donate blood pursuant to this paragraph must provide at least two workdays of notice to the District.
- ii. Employees deemed essential by the Superintendent or employees requiring substitute coverage may, at the discretion of the Superintendent of Schools, be subject to longer notice requirements than those set forth above, but no more than 10 workdays of notice will be required. The District will provide reasonable accommodation for a shorter notice period than those set forth in this paragraph or above for those employees who experience an emergency requiring that they donate blood for their own surgery or that of a family member.
 - iii. The District will not retaliate against an employee for requesting or obtaining a leave of absence pursuant to this section.
 - iv. The District will notify employees in writing of their right to take leave pursuant to this section in a manner that will ensure that they see it. If the District provides written notice directly to the employee (rather than, for example, posting it), it will do so at the time of hire and on an annual basis by no later than January 15.
4. Bone Marrow donation

Employees seeking to undergo a medical procedure to donate bone marrow will be granted one or more leaves to do so, the combined length of the leaves to be determined by the physician, but may not exceed 24 work hours unless agreed to by the Superintendent of Schools/designee. The District will require verification for the purpose and length of each leave requested by the employee for this purpose. This section is only applicable to employees who work an average of 20 or more hours per week.

Employees must provide verification from a physician for the purpose and length of each leave requested to donate bone marrow.

The District will not retaliate against an employee for requesting or obtaining a leave of absence pursuant to this section.

5. Break Time to Express Breast Milk

The District will provide reasonable break time to accommodate an employee's need to express breast milk for the employee's infant child up to three years following childbirth.



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Non-exempt employees will receive up to 30 minutes of paid break time when they have a reasonable need to express breast milk. Non-exempt employees must clock out and clock in for any time taken to express breast milk beyond 30 minutes, as the excess time will generally be unpaid unless the employee uses regular paid break or meal time (if any). Exempt employees will be paid for breaks taken when they have a reasonable need to express breast milk. While employees are not required to work while expressing breast milk, they may voluntarily do so, and if they do, they will be paid as required by law.

In accordance with applicable law, the District will also provide employees with the use of a room or other location (other than a bathroom), with the required features, for them to express breast milk in private.

Employees that desire to take breaks pursuant to this section must provide reasonable advance written notice, generally before returning to work if the employee is on leave, to their supervisor that includes: (1) their anticipated return date (if on leave); (2) details regarding how many breaks they anticipate needing during the work day, and (3) their preferred times to express breast milk, if any (which the District will accommodate to the extent practical). Supervisors will respond to these requests within five work days.

The District and its officers and agents will not discharge, threaten, penalize, or in any other manner discriminate or retaliate against employees because they have exercised their rights pursuant to this section.

The District will provide employees with notice of their right to take paid breaks pursuant this section when they are hired and once per year thereafter. The District will also remind employees of their right to take breaks to express breast milk when they return to work following the birth of a child.

6. Military Leave

Pursuant to Board Policy #6552, and in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and New York Military Law, a leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services. This leave will be paid or unpaid as required by law.

Pursuant to Board Policy #6551, and in accordance with the Family Medical Leave Act, the District will provide military caregiver and qualifying exigency leave.

An employee who averages more than 20 hours per week is entitled to 10 days of unpaid leave when the employee's spouse is on leave from the armed forces of the United States, national guard or reserves while deployed during a period of military conflict to a combat theater or combat zone of operations.

7. Time to Vote

Registered voters who do not have sufficient time outside of work hours to vote will be granted up to two hours of paid time off to vote during the regular workday. However, if the polls are open for at least four consecutive hours before or after the employee's scheduled



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workday, the employee is deemed to have sufficient time outside of work hours to vote. Employees who need time off to vote during their regular workday must inform their supervisor not more than ten nor less than two workdays in advance.

8. Volunteer Emergency Responder Leave

During the time of emergency that follows a “declaration of emergency” (as that term is defined by applicable State law), employees are entitled to take leave while engaged in the actual performance of their duties as: (a) volunteer firefighters, or (b) enrolled members of a volunteer ambulance service (as that term is defined by applicable State law), unless the District determines that the employee’s absence would impose an “undue hardship” on the conduct of the District’s business (as that standard is defined by applicable State law).

Employees may take leave pursuant to this section only if:

- i. The District has previously received written documentation from the head of the employee’s volunteer fire department or volunteer ambulance service, as applicable, notifying the District of the employee's status as a volunteer firefighter or member of a volunteer ambulance service, as applicable; and
- ii. the employee’s duties as a volunteer firefighter or member of a volunteer ambulance service, as applicable, are related to the declared emergency.

Non-exempt employees who take leave pursuant to this policy will be unpaid unless they elect to use available, accrued paid leave. Exempt employees will be paid only as required by law or to the extent that they use available, accrued paid leave.

Upon request, an employee who has been granted leave pursuant to this section will provide the District with a notarized statement from the head of the volunteer fire department or volunteer ambulance service, as applicable, certifying the period of time(s) that the employee responded to any emergency covered pursuant to this section.

Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), 38 United States Code (USC) Sections 4301-4333
Civil Service Law Sections 159-b and 159-c
Education Law Sections 1709(16), 3005, and 3005-b
General Municipal Law Section 92-c
Labor Law Sections 202-a, 202-c, 202-i, 202-j, 202-l and 206-c
Military Law Sections 242 and 243

Re- Adopted: November 20, 2024