



Employee Handbook

School District 49

Effective July 1, 2024

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IMPORTANT NOTICE

THIS HANDBOOK IS DESIGNED TO ACQUAINT EMPLOYEES WITH THE DISTRICT AND SOME INFORMATION ABOUT WORKING HERE. THE HANDBOOK IS NOT ALL INCLUSIVE, BUT IS INTENDED TO PROVIDE EMPLOYEES WITH A SUMMARY OF SOME OF THE DISTRICT'S GUIDELINES. THIS EDITION REPLACES ANY PREVIOUSLY ISSUED EDITIONS.

AT SCHOOL DISTRICT 49, NEITHER THE EMPLOYEE NOR THE DISTRICT IS COMMITTED TO AN EMPLOYMENT RELATIONSHIP FOR A FIXED PERIOD OF TIME, UNLESS OTHERWISE SPECIFIED IN AN EMPLOYMENT CONTRACT. EMPLOYMENT WITH SCHOOL DISTRICT 49 IS AT-WILL, UNLESS OTHERWISE SPECIFIED IN AN EMPLOYMENT CONTRACT. AT-WILL EMPLOYMENT ALLOWS THE EMPLOYEE OR ADMINISTRATION THE RIGHT TO TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY REASON. WHERE AN EMPLOYMENT CONTRACT EXISTS, THE TERM OF EMPLOYMENT AND TERMINATION PROVISIONS WILL BE AS STATED THEREIN.

THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS BY ADMINISTRATION ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR IS THERE A GUARANTEE OF EMPLOYMENT FOR ANY SPECIFIC DURATION FOR AT-WILL EMPLOYEES. NO REPRESENTATIVE OF SCHOOL DISTRICT 49, OTHER THAN THE BOARD OF EDUCATION OR THE SUPERINTENDENT, HAS AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE BOARD PRESIDENT OR THE SUPERINTENDENT AND THE EMPLOYEE.

THE CONTENTS OF THIS HANDBOOK ARE SUMMARY GUIDELINES FOR EMPLOYEES AND THEREFORE ARE NOT ALL INCLUSIVE. EXCEPT FOR THE AT-WILL NATURE OF THE EMPLOYMENT, THE DISTRICT RESERVES THE RIGHT TO SUSPEND, TERMINATE, INTERPRET, OR CHANGE ANY OR ALL OF THE GUIDELINES MENTIONED, ALONG WITH ANY OTHER PROCEDURES, PRACTICES, BENEFITS, OR OTHER PROGRAMS OF SCHOOL DISTRICT 49. THESE CHANGES MAY OCCUR AT ANY TIME, WITH OR WITHOUT NOTICE.

NO EMPLOYEE HANDBOOK CAN ANTICIPATE EVERY CIRCUMSTANCE OR QUESTION. AFTER READING THE HANDBOOK, EMPLOYEES THAT HAVE QUESTIONS SHOULD TALK WITH THEIR IMMEDIATE SUPERVISOR OR THE HUMAN RESOURCES DEPARTMENT.

EMPLOYMENT

Equal Employment Opportunity/Unlawful Harassment ([Policy GBA](#))

The District is dedicated to the principles of equal employment opportunity. We prohibit unlawful discrimination against applicants or employees on the basis of race (including traits historically associated with race, such as hair texture, length, hair type, or protected hairstyle); color; creed; religion; national origin; ancestry; sex; gender identity; gender expression; pregnancy, physical recovery from childbirth or a related condition; sexual orientation; marital status; military or veteran status; age (40+); genetic information; disability; or any other applicable status protected by federal, state, or local law. In addition, the District will not tolerate discrimination of protected activity in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups.

The lack of English language skills shall not be a barrier to admission or participation in any District program. To that end, the District 49 provides free language services to people whose primary language is not English, such as qualified interpreters and information written in other languages.

In addition, the District provides free aids and services to people with disabilities to communicate effectively with us, such as qualified sign language interpreters and written information in other formats (large print, audio, accessible electronic formats, other formats).

Our commitment to equal employment opportunity and nondiscrimination includes all areas of employment, including but not limited to job advertising, recruitment, selection, hiring, job training, compensation, fringe benefits, job classification, promotion, and termination.

ADA and Religious Accommodation

The District will make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship to the District or cause a direct threat to health or safety. The District will make reasonable accommodation for employees whose work requirements interfere with a religious belief, unless doing so poses undue hardship on the District. Employees needing such accommodation are instructed to contact their supervisor or Human Resources immediately.

Pregnancy Accommodation

Employees have the right to be free from discriminatory or unfair employment practices because of pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth.

Employees who are otherwise qualified for a position may request a reasonable accommodation related to pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. If an employee requests an accommodation, the District will engage in a timely, good-faith, and interactive process with the employee to determine whether there is an effective, reasonable accommodation that will enable the employee to perform the essential functions of their position. A reasonable accommodation will be provided unless it imposes an undue hardship on the District's business operations.

The District may require that an employee provide a note from their health care provider detailing the medical advisability of the reasonable accommodation. Employees who have questions about this policy or who wish to request a reasonable accommodation under this policy should contact Human Resources.

The District will not deny employment opportunities or retaliate against an employee because of an employee's request for a reasonable accommodation related to pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. An employee will not be required to take leave or accept an accommodation that is unnecessary for the employee to perform the essential functions of the job.

Workplace Accommodation for Nursing Mothers

A private space will be provided, and reasonable time will be permitted for nursing mothers to express milk during the workday for up to two years following the birth of a child.

The time permitted typically will run concurrently with the time already provided for meal and rest breaks. If the breaks cannot run concurrently and/or additional time is needed, human resources and the employee will agree upon a schedule that might include the employee using unpaid leave (if non-exempt), annual leave/vacation time, arriving at work earlier, or leaving later. In the event unpaid leave is used, the employee will be relieved of all work-related duties during any unpaid break.

Employees will be provided with the use of a room, office, or other private area, other than a bathroom or toilet stall, that is shielded from view and free from intrusion from coworkers and the public. The District will make a reasonable effort to identify a location within close proximity to the work area for the employee to express milk.

Employees may store expressed breast milk in designated District refrigerators. The employee must clearly label each container with her name and the date the milk was collected. Unlabeled containers, and containers left for more than three days, may be disposed of without warning. Alternatively, mothers may bring in their own small refrigerator or cooler for the temporary storage of breast milk.

Nursing mothers are responsible for using antimicrobial wipes to clean milk expression areas, and for keeping the general lactation space clean for the next user. This responsibility extends to other areas where expressing milk is permitted, equipment is cleaned, and milk storage areas.

The District reserves the right to not provide additional break time or a private location for expressing breast milk if doing so would substantially disrupt the District's operations.

The District will not demote, terminate, or otherwise take adverse action against an employee who requests or makes use of the accommodations and break time described in this policy.

EEO Harassment

The District strives to maintain a work environment free of unlawful harassment. Unlawful harassment includes unwelcome verbal or physical conduct or any written, pictorial, or visual communication directed at an individual or group of individuals because of that individual's or group's membership in, or perceived membership in, a protected class that is subjectively offensive to the individual.

alleging harassment, and is objectively offensive to a reasonable individual who is a member of the same protected class. Harassment does not need to be in-person and can occur over electronic media, such as Zoom or other electronic platforms. Prohibited behavior may include but is not limited to the following:

- Written form such as cartoons, e-mails, posters, drawings, or photographs.
- Verbal conduct such as epithets, derogatory comments, slurs, or jokes.
- Physical conduct such as assault, or blocking an individual's movements.

This policy applies to all employees including managers, supervisors, co-workers, and non-employees such as vendors, consultants, volunteers, etc.

Sexual Harassment (Policy GBAA)

Because sexual harassment raises issues that are to some extent unique in comparison to other types of harassment, the District believes it warrants separate emphasis.

The District strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, or any written, pictorial, or visual communication when:

- submission to such conduct or communication is made explicitly or implicitly a term or condition of employment.
- submission to, objection to, or rejection of such conduct or communication is used as a basis for decisions affecting an individual's employment.
- such conduct or communication has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Conduct which may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written form, such as cartoons, posters, calendars, notes, letters, or e-mails.
- Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted requests for dates.
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

Discrimination & Harassment Complaint Procedure ([Policy AC-R-1](#))

If an employee believes there has been a violation of the EEO policy or harassment based on the protected classes above, including sexual harassment, the District expects employees to make a timely complaint to enable the District to investigate and correct any behavior that may be in violation of this policy.

The District takes prompt action to investigate and/or address alleged discriminatory or unfair employment practices. The District also takes prompt remedial actions, when warranted, in response to complaints of discriminatory or unfair employment practices. In addition, the District has established a program designed to prevent harassment, deter future harassers, and protect employees from harassment.

If an employee, applicant for employment, or member of the public believes they have been a target of unlawful discrimination or harassment (including sexual harassment), or who has witnessed such unlawful discrimination or harassment, they may use any of the following avenues to file/report a complaint:

- A. File a complaint with either an immediate supervisor or the district's compliance officer who will investigate the matter and take corrective action:

Compliance Officer for Employee Matters:

Sonia Marroquin-Smith, HR Manager of Culture and Compliance

10850 E. Woodmen Road, Peyton, CO 80831.

sonia.marroquinsmith@d49.org Office Ph: (719) 495-1142

-OR-

- B. If the employee prefers not to go to either of these individuals with the complaint, they should report the incident to the Executive Director for People and Culture or Human Resources Manager.

-OR-

- C. Complete and submit the [D49 Discrimination of Protected Class Complaint Form](#) located at the bottom of the D49 website home page under "Nondiscrimination".

The complaint will be kept as confidential as practicable and the District prohibits retaliation against any employee for filing a complaint under this policy or for assisting in a complaint investigation. If the employee believes there has been a violation of our EEO or retaliation standard, they should follow the complaint procedure outlined above.

If the District determines that an employee's behavior is in violation of this policy, disciplinary action will be taken, up to and including termination of employment.

Ethics and Professionalism

All staff members have a responsibility to abide by federal and state laws as these affect their work and the policies and regulations of the District. As representatives of the District and role models for students, all staff shall demonstrate and uphold high professional, ethical, and moral standards.

Staff members shall conduct themselves in a manner that is consistent with the educational mission of the District and shall maintain professional boundaries with students at all times. Interactions between staff members must be based on mutual respect, and any disputes must be resolved in a professional manner.

District 49's identity, vision, and philosophy rely on the cultural compass, which represents the eight core values that guide the way the District learns, works, and leads. The inner ring represents our expectations for how members of the District's employees interact with each other, with students, and with our community. The outer ring represents our core values as related to our work and expectation for continuous learning and leadership at all levels.



DEFINITIONS OF EMPLOYEE STATUS

Employee Classifications

Employees of the District are classified as either exempt or nonexempt under federal and state wage and hour laws, and are further classified for administrative purposes, such as the administration of fringe benefits like paid vacation or holidays. These classifications do not determine eligibility for participation in the District's group health plan. Eligibility for participation in the District's group health plan is governed by the terms of the plan documents as well as applicable law. To obtain a copy of the Summary Plan Description or to discuss whether you are eligible to participate in the District's group health plan, please contact the Risk & Benefits Manager. The following classifications are used throughout this Handbook.

Exempt Employee. Employees whose positions meet specific criteria established by the Fair Labor Standards Act (FLSA) and who are exempt from minimum wage and/or overtime pay requirements.

Non-Exempt Employee. Employees whose positions do not meet FLSA criteria and who are not exempt from minimum wage and overtime pay requirements. Nonexempt employees are paid one and one half times their regular rate of pay for hours worked in excess of 40 hours in a workweek (excluding duty-free meal periods).

Full-time Employee. An employee normally scheduled to work at least 30 hours per workweek (or transportation employees who work at least 25 hours per workweek).

Part-time Employee. An employee normally scheduled to work less than 30 hours per workweek.

Substitute Employee. An employee who is hired in a job established for an as-needed basis.

Seasonal/Temporary Employee. An employee who is hired in a job established for a seasonal or temporary period or for a specific assignment.

EMPLOYEE BENEFITS

Insurance Benefit Plans

The District's comprehensive benefits package currently includes a number of different plans for eligible staff members. Employment benefits vary according to the position and status of the employee. To receive certain benefits, eligible employees may be required to meet participation requirements and pay required premiums and other contributions. The District complies with all applicable federal and state laws regarding the provision of benefits to same-sex spouses, domestic partners, and couples in a civil union.

Benefit plans offered by the District are defined in legal documents such as insurance contracts and summary plan descriptions. In the event information in this Handbook or other employee communication conflicts with the actual terms and conditions of coverage, the plan documents will control. Benefits described in this Handbook, including the types of benefits offered and/or the requirements for eligibility of coverage, may be modified or discontinued from time to time at the District's discretion as permitted by law. The District and its designated benefit plan administrators reserve the right to determine eligibility, interpretation and administration of issues related to benefits offered by the District.

Employees will have an opportunity to make changes to their benefit selections during the District's annual open enrollment period. Employees who experience a qualifying life event such as marriage, divorce or the birth of a child will also be allowed to make a change in their benefit selection when that event occurs, in accordance with the terms of the plan document.

The District currently offers the following benefits:

Medical Insurance Plan: helps pay covered medical expenses for employee and employee's family.

Dental Insurance Plan: helps pay covered dental expenses for employee and employee's family.

Vision Insurance Plan: helps pay covered vision expenses for employee and employee's family.

Life Insurance Plan: provides term insurance coverage equal to one time the employee's annual salary.

Long-Term Disability (LTD) Plan: helps replace a portion of an employee's salary if they suffer a covered disability.

Personal Accident Insurance Plan: provides payments in case of accidental death or dismemberment.

In the event an employee must take a personal or other leave of absence, they should consult Human Resources to determine the impact the leave may have upon their benefits, including eligibility and/or making any required premium payments.

For more information about these plans, including eligibility requirements, please refer to the [Employee Benefits](#) web page or contact the Risk and Benefits Manager. In the event the above information conflicts with the actual terms and conditions of coverage, the latter governs.

Holidays

The District currently observes the following fifteen (15) holidays as days off with pay for full-time / full-year employees:

Independence Day (1)	Christmas Eve through New Year's Day (7)
Labor Day (1)	Martin Luther King, Jr. Day (1)
Wednesday before Thanksgiving (1)	President's Day (1)
Thanksgiving Day (1)	Memorial Day (1)
Friday after Thanksgiving (1)	

All District holidays are approved by the Board of Education. If one of the observed holidays occurs during an employee's vacation period, the employee is not required to use a vacation day for the Board approved holiday. Holiday time is not counted as hours worked in the computation of overtime.

Full-time/full-year, non-exempt employees who are authorized to work on a board approved holiday will be paid their regular pay for the holiday in addition to their hourly rate of pay for the hours worked.

Paid Sick Leave ([Policy GBGG](#))

District 49 provides sick leave in accordance with the Colorado Healthy Families and Workplaces Act (HFWA). Sick leave may be taken for the following reasons:

1. personal mental or physical illness, injury, or health condition that prevents the employee from working, or the need to obtain preventive medical care or to get a medical diagnosis, care of treatment of any mental or physical illness, injury or health condition;
2. the necessary care and attendance for the employee's family member who has a mental or physical illness, injury, or health condition or the need to obtain preventive medical care or to get a medical diagnosis, care, or treatment of any mental or physical illness, injury, or health condition;
3. seeking medical attention, mental health care, or other counseling, victim services (including legal services), or relocation if the employee or a member of the employee's family has been the victim of domestic abuse, sexual assault, or criminal harassment;
4. the district has been ordered to close by a public official due to a public health emergency; or
5. the school or childcare provider for the employee's child has been ordered to close by a public official due to a public health emergency and the employee needs to be absent from work for care for their child; or
6. to grieve, attend funeral services or a memorial, or deal with financial and legal matters that arise after the death of a family member; or
7. to care for a family member whose school or place of care has been closed due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected events; or
8. to evacuate the employee's place of residence due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected events.

Definition of “Family Member”: for sick leave purposes, the term “family member” shall be defined as a member of the employee’s immediate family (a person who is related by blood, marriage, civil union, or adoption), a child to whom the employee stands in loco parentis or a person who stood in loco parentis to the employee when the employee was a minor, or a person for whom the employee is responsible for providing or arranging health- or safety-related care.

Medical Excuse for Illness: evidence of illness may be required for approval of taking (4) four or more consecutive paid sick days. Any health or safety information relating to an employee or employee’s family member will be treated as confidential medical records and will not be disclosed except to the affected employee or with the express permission of the affected employee.

Leave of Absence Documentation: a completed [“Leave of Absence Application”](#) will be required for leaves of five (5) or more days in duration and submit documentation to the Human Resources Leave Specialist.

Recording Sick Leave Absence: Sick leave may be used in quarter-hour increments as per the Colorado Healthy Families and Workplaces Act. Sick leave shall not apply during vacation leave, personal leave, or paid holidays.

Maximum Sick Leave Rollover:

Sick leave may be accumulated up to a maximum of 120 work days or the equivalent sick hours for the position. An employee shall be paid at the rate of one half the substitute rate for that position for each day of unused sick leave accumulated over 120 days. Payment will be made on an annual basis at the end of the fiscal year in which an overage has been accumulated.

Sick Leave Payout

An employee who has worked for the district for fifteen (15) or more years or who is eligible for Public Employees Retirement Association (PERA) retirement and has at least five consecutive years’ service in the district shall be reimbursed for earned but unused sick leave hours at the current substitute rate of pay for that position, up to a maximum of 120 days. In cases related to retirement, Administrative, Professional/ Technical, and Instructional staff shall be paid at the base substitute rate for teachers. Documentation from the Public Employees Retirement Association verifying retirement eligibility will be required of all retiring employees who have been employed with the district for less than fifteen (15) years.

Separation and Reinstatement Upon Rehiring

At the time of separation from the district, any earned but unused sick leave is not paid out to the employee except in the instance of retirement as stated above. In the instance of separation where the entire fiscal year is not completed, any overused sick leave (used but not earned) will be deducted from the employee’s final paycheck. If an employee separates from employment with the district and is rehired by the district within six months after the separation, the district must reinstate any paid sick leave that the employee had accrued but not used during the employee’s previous employment if that accrued paid sick leave had not been paid out at the time of the separation.

Additional Leave During a Public Health Emergency

In addition to the paid sick leave generally accrued, on the date a public health emergency is declared, the district will supplement each employee's accrued paid sick leave as necessary to ensure that full-time employees who work 40 hours or more in a week may take at least 80 hours of paid sick leave and that employees who work fewer than 40 hours in a week may take at least the greater of the number of hours the employee is scheduled to work in a 14-day period or the average time the employee works in a 14-day period. The district may count an employee's unused accrued paid sick leave toward supplemental paid sick leave.

An employee may use the supplemental paid sick leave until 4 weeks after the official termination or suspension of the public health emergency. Leave under this provision may be taken for the following reasons:

- self-isolation or seeking medical care or treatment due to a diagnosis or symptoms of a communicable illness that is the cause of a public health emergency;
- caring for a family member who is self-isolating or seeking medical care after being diagnosed or is experiencing symptoms of a communicable illness that is the cause of a public health emergency;
- a determination from a local, state, or federal public official or health authority that an employee or a member of the employee's family that the employee cares for poses a risk to the health of others;
- caring for a family member when the individual's school or place of care has been physically closed due to a public health emergency; or
- an employee's inability to work because of a health condition that may increase susceptibility to or risk of a communicable illness that is the cause of a public health emergency.

Nondiscrimination

The Board, the superintendent, other administrators, and district employees will not unlawfully discriminate, take adverse action, or retaliate against any employee who takes, attempts to take, or supports taking paid sick leave in accordance with this policy, files a complaint or informs any person about an alleged violation of the Healthy Families and Workplaces Act, or participates in an investigation, hearing, or proceeding related to such matter.

Personal Leave ([See Policy GBGG](#))

District 49 provides paid personal leave for full-time employees who work 30 hours or more per week. Employees should submit a request for personal leave to their immediate supervisor at least three (3) days prior to the day for which it is requested. Requests for personal leave less than three days prior may be granted at the discretion of their immediate supervisor.

Employees may not take personal leave the school day before or the school day after a school break unless his/her supervisor pre-approves the request.

Personal days not used by the end of the fiscal year shall be added to the employee's sick leave balance for the following fiscal year.

Personal leave of five (5) days or more in duration will require a completed ["Leave of Absence Application"](#). Employee is to notify and submit completed documentation to the Human Resources Leave Specialist.

Paid Sick & Personal Leave Accruals ([Policy GBGG](#))

Employees assigned to part-time, temporary, seasonal, and long-term substitute positions accumulate 1 hour of paid sick leave for every 30 hours worked, up to a maximum of 48 hours (6 days).

Full-time/full-year employees: accumulate twelve (12) sick days or one (1) day for each month worked and two (2) personal days or one half (1/2) day for each school quarter worked.

Full-time instructional staff and school year educational support personnel (ESP): accumulate sick and personal leave according to the following schedule:

	At Hire	At Start of Year 5	At Start of Year 10	At Start of Year 15
Sick Days	10	9	8	7
Personal Days	2	4	6	8

Full-time extended school year employees who are scheduled to work 201 to 220 days: accumulate sick and personal leave each year according to the following schedule:

	At Hire	At Start of Year 5	At Start of Year 10	At Start of Year 15
Sick Days	11	10	9	8
Personal Days	2	4	6	8

Full-time employees working in a position that is .8 FTE or greater but less than a 1.0 FTE -will receive pro-rated sick and personal leave benefits.

Full-time staff hired after the beginning of the fiscal year- sick and personal leave will be pro-rated.

Vacation Leave ([Policy GBD](#))

All full-time/full-year administrative, educational support (ESP), and professional-technical (Prof Tech) positions are eligible for vacation leave.

Administrative Personnel

All full-time administrative personnel working full year shall be entitled to annual vacation leave of twenty (20) days per year. Vacation leave for administrative personnel hired after the beginning of the fiscal year will be pro-rated. Vacation leave will be granted at the rate of 1.67 days per month for each month worked during the current fiscal year.

Vacation leave must be used by June 30 in the fiscal year given. Administrative personnel forfeit any unused vacation leave remaining at the end of the fiscal year.

Up to five (5) days of earned but unused vacation leave may be carried forward into the next fiscal year with the approval of the immediate supervisor and/or Superintendent.

Vacation leave carried forward must be used no later than September 1 of the following fiscal year. After September 1, any unused prior year vacation will be forfeited.

Educational Support and Professional-Technical Personnel

All full-time educational support and professional-technical personnel working full year days per fiscal year shall be entitled to vacation based on the following:

	# of Vacation Days
Date of Hire to End of 1 st fiscal year	0.83 days per month
1 year - 3 years	10 days
4 years - 10 years	15 days
11+ years	20 days

Employees hired between April 1 and June 30 will be considered first year on July 1 of the following fiscal year.

Vacation days granted during a fiscal year must be used by June 30 of the following fiscal year. Unused vacation days are forfeited if not used by the end of the second fiscal year.

Usage of Vacation

Vacation leave is granted and available for use to eligible personnel at the beginning of each fiscal year. However, vacation leave is earned as the year progresses on a monthly basis.

- Employees eligible for 10 vacation days will earn leave at the rate of 0.83 days per month
- Employees eligible for 15 vacation days will earn leave at the rate of 1.25 days per month
- Employees eligible for 20 vacation days will earn leave at the rate of 1.67 days per month

Requests for Vacation Leave

All requests for vacation leave require the preapproval of the employee’s immediate supervisor. Supervisors may establish vacation “blackout periods” during which time off will not be approved or will be approved on a limited case-by-case basis. Such period will be for the purpose of ensuring appropriate staffing and effective operation of departments and offices.

Vacation leave may be taken in one-half day or full-day increments only.

Unused Vacation at Time of Separation

At the time of separation from the district, any earned but unused vacation time will be paid to the employee at his/her per diem rate of pay. In the instance of separation where the entire fiscal year is not completed, any overused vacation time (used but not earned) will be deducted from the employee’s final paycheck.

Transfer Credit

For the purpose of vacation day computation, employees working a school-year calendar who subsequently transfer to a full year calendar position will be given credit for the months and years of service to the District on a month-for-month basis.

Workers' Compensation ([See Policy GBGD](#))**Safety/Reporting of Injury**

The District is committed to a safe work environment for employees. Employees should report any unsafe practices or conditions to their supervisor.

If employees are injured on the job, no matter how minor, they must report as soon as practicable this fact and in writing within 10 days to the Risk & Benefits Manager.

If medical treatment for an on-the-job injury is needed, it must be obtained from one of the District's designated physicians. If not, the employee may be responsible for the cost of medical treatment.

LEAVES OF ABSENCE

(**NOTE:** A completed [“Leave of Absence Application”](#) may be required for leaves less than five (5) consecutive work days in duration, but in all cases will be required for leaves of five (5) days or more in duration. Contact the Human Resources Leave Specialist for additional information.)

Family and Medical Leave ([See Policy GBC and GBC-R](#))

The District provides up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- Incapacity due to pregnancy, prenatal medical care, or childbirth.
- To care for the employee’s child after birth, or placement for adoption or foster care.
- To care for the employee’s spouse, son or daughter, or parent who has a serious health condition.
- Serious health condition that makes the employee unable to perform the employee’s job.
- any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter, or parent is a covered military member on “covered active duty” (additional information below).

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or called to active duty status in the Armed Forces, National Guard, or Reserves may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

*(The FMLA definitions of “serious injury or illness” for current servicemembers and veterans are distinct from the FMLA definition of “serious health condition.”)

Benefits and Protections

During FMLA leave, the District maintains the employee’s health coverage under any group health plan on the same terms as if the employee had continued to work. Employees must continue to pay their portion of any insurance premium while on leave.

If the employee is able but does not return to work after the expiration of the leave, the employee will be required to reimburse the District for payment of insurance premiums during leave.

Upon return from FMLA leave, most employees are restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Certain highly compensated employees (key employees) may have limited reinstatement rights.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. As with other types of unpaid leaves, paid leave will not accrue during the unpaid leave. Holidays, funeral leave, or employer's jury duty pay are not granted on unpaid leave.

Eligibility Requirements

Employees are eligible if they have worked for this District for at least 12 months, for 1,250 hours over the previous 12 months, and if they work at a work site with at least 50 employees within 75 miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents a qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive full calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of FMLA Leave

The maximum time allowed for FMLA leave is either 12 weeks in the 12-month period as defined by the District, or 26 weeks as explained above. The District uses the 12-month period measured forward from the first day of an employee's leave.

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the District's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees taking intermittent or reduced schedule leave based on planned medical treatment and those taking intermittent or reduced schedule family leave with the District's agreement may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

Substitution of Paid Leave for Unpaid Leave

The District requires employees to use accrued, earned paid leave while taking FMLA leave. Paid leave used at the same time as FMLA leave must be taken in compliance with the District's normal paid leave policies. If an employee's leave of absence does not constitute paid leave as defined in the District's paid leave policies, the employee cannot use accrued paid leave, but can take unpaid

leave. FMLA leave is without pay when paid leave benefits are exhausted.

Employee Responsibilities

Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the District's normal call-in procedures.

Employees must provide sufficient information for the District to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities; the need for hospitalization or continuing treatment by a health care provider; or circumstances supporting the need for military family leave. Employees also must inform the District if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Employees also may be required to provide a certification and periodic recertification supporting the need for leave. The District may require second and third medical opinions at the District's expense. Documentation confirming family relationship, adoption, or foster care may be required. If notification and appropriate certification are not provided in a timely manner, approval for leave may be denied. Continued absence after denial of leave may result in disciplinary action in accordance with the District's attendance guideline. Employees on leave must contact Human Resources at least two days before their first day of return.

The District's Responsibilities

The District will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the District will provide a reason for the ineligibility.

The District will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the District determines that the leave is not FMLA-protected, the District will notify the employee.

Unlawful Acts

FMLA makes it unlawful for the District to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA.
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against the District. FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights. Please refer to the full board policy regarding family and medical leave for additional information and qualifications, or contact Human Resources.

Catastrophic Leave Bank (Policy GBGGA)

The purpose of the Catastrophic Leave Bank is to provide a source of income continuation for a participating employee who sustains a catastrophic illness or injury and has not yet qualified for disability benefits or for an employee who needs to care for a family member with a catastrophic illness or injury. The responsibility for this bank with regard to the allotment of days or benefits to those participating is not the responsibility of the District; this is an activity independent of district benefits and was established by those who wish to contribute to help members in the case of catastrophic illness or injuries. Membership under these guidelines is voluntary.

The Catastrophic Leave Bank shall be available only for those contributing staff members who meet the definition of catastrophic diagnosis as defined in board policy. If you have any questions regarding a leave of absence, contact your supervisor or Human Resources.

Non-FMLA Leave (Policy GBCA and GBCA-R)

Eligibility and Conditions

An employee who has completed 6 months of continuous employment and who is ineligible under the Family and Medical Leave Act (FMLA) may request an unpaid medical leave of absence as per Board policy GBCA-R. Employees may be granted a medical leave of absence to be used in a block of time or an intermittent or reduced schedule, in limited circumstances. Employees may also request leave under the Americans with Disabilities Act/Amendment Act if they are unable to work or require job accommodations. Unless otherwise approved in advance by Human Resources, employees on leave are not authorized to perform any work, to include coaching, extra duty or alternative assignments. While on leave, all district system access will be suspended for the duration of the leave. It will be reinstated on the employee's return date. Approval of work continuation, while on leave, will be reviewed on a case by case situation.

Notification and Documentation

Employee should immediately inform their supervisor of the need for leave and shall complete the ["Leave of Absence Application"](#) form for supervisor approval. Employee will submit the approved form to the Human Resources Leave Specialist for review and processing and if additional medical documentation is required.

Duration of Leave

Medical leaves, and any extension of leaves, will be reviewed by Human Resources on a case by case basis. Leave for pregnancy will be limited to six (6) weeks in the case of non-surgical delivery and eight (8) weeks for cesarean delivery. Other types of medical leave will generally be limited to no longer than twelve (12) weeks unless designated as a reasonable accommodation and required under federal ADA requirements.

Benefits During Leave

As with other types of unpaid leaves, paid leave will not accrue during the unpaid leave. Holidays, funeral leave, or employer's jury duty pay are not granted on unpaid leave. In addition, employees on leave of absence are ineligible for holiday or snow pay after all paid leave has been exhausted.

Continuation of health insurance benefits will be in accordance to Board policy GBCA-R.

Reinstatement

An employee who has been sick or injured and is ready to return to work from leave will be required to provide a medical professional's statement, indicating ability to return to work, at least two (2) working days prior to the anticipated return to work date. While the District will make a reasonable effort to reinstate the employee to the same or comparable position, that is not a guarantee due to possible changes in staffing needs. In addition, employees who fail to return at the expiration of their approved leave will normally be terminated. Applicable Colorado statute will govern the reinstatement or dismissal of licensed staff.

Colorado Family and Medical Leave Insurance (FAMLI) Participation

FAMLI provides benefits and protections, including partial income protection for eligible employees who are temporarily unable to work due to their or a family member's qualifying medical or legal reason, specifically, for the care of a newborn, adopted child, or fostered child; to care for a family member with a serious health condition; for the employee's own serious health condition; for qualifying military exigency leave; or to address safety needs or the impact of domestic violence and/or sexual assault. Partially paid leave is available for up to 12 weeks in a calendar year or up to 16 weeks under certain circumstances related to pregnancy and childbirth.

As a local government employer, **the District has voted to opt out of participating** in the FAMLI state-run family leave program. However, all employees of the District can participate in FAMLI on an individual basis. For more information about this state-facilitated program, including eligibility, required documentation, and process, please see famli.colorado.gov. Employees individually participating in FAMLI should notify Human Resources at least 30 days prior to using any such FAMLI leave or as soon as practicable. In some circumstances FAMLI benefits will run concurrently with FMLA, short-term disability, or non-FMLA medical leaves of absences.

Bereavement Leave (Policy GBGI)

Employees are currently eligible for paid bereavement leave as part of Colorado's Healthy Families and Workplaces Act (see "Paid Sick Leave" above). Such absence shall be charged at the option of the employee to sick leave or personal leave, if available, or treated as an absence without pay and charged at the per diem rate of pay to be reflected as a deduction during the subsequent pay period.

"Immediate family" shall be defined as a person who is related by blood, marriage, civil union, or adoption or anyone else the employee is responsible for providing or arranging health- or safety-related care for.

Military Leave (Policy GBGI)

Employees granted a military leave of absence are reinstated and paid in accordance with the laws governing veterans' reemployment rights. The District pays for the first 15 days of leave per year. After that time, leave is without pay.

Jury Duty Leave (Policy GBGI)

The District recognizes jury duty as a civic responsibility of everyone. When summoned for jury duty, an employee will be granted leave to perform their duty as a juror or when ordered to appear in a proceeding pursuant to a job-related subpoena or other non-personal court orders with no jeopardy to their employment, compensation, or sick or personal leave. If the employee is excused from jury duty during regular work hours, the employee is expected to report to work promptly.

Employees receive regular pay for all days of jury duty if they are scheduled to work and they provide confirmation of juror service.

Beginning the fourth day and thereafter, employees, as jurors, are paid \$50.00 per day by the State of Colorado for state district or county court jury duty. For jury duty in excess of three days, as employees will be receiving their regular wages from the district, employees are to sign their state issued check over to the District as an offset. Employees continue to receive their full salary during jury duty leave.

Student Teaching Leave of Absence

Current district employees may apply for an unpaid leave of absence to student teach. Approval of this type of leave of absence is subject to administration discretion based on business need and other factors. Approval must be obtained by both the losing and gaining administrator. A request for student teaching must be facilitated by the employee. A request for a student teaching leave of absence should be made as far in advance as possible to assist with securing coverage. If the leave is approved, all vacation and personal time must be used concurrently until all leave is exhausted.

Unpaid Leave of Absence (Policy GBCAG)

Current employees who have completed three (3) consecutive years of satisfactory performance, may request an unpaid leave of absence not to exceed one (1) school year for reasons other than illness, disability, vacation, or a leave of absence otherwise protected under federal or state law. Leave requests must be submitted no later than March 1st of the year preceding the planned year of absence. Approval of this type of leave of absence is subject to administrative discretion based on business need and other factors and subject to approval from the Board of Education.

Benefits During Leave

Sick leave and vacation time accumulation and placement on the pay schedule shall be frozen. Personal, vacation, and/or sick leave will not accrue during the approved leave and holidays and snow days will not be granted. Continuation of insurance benefits will be subject to [Board policy GBCAG](#).

Reinstatement

An employee returning from an unpaid leave shall not be guaranteed their previous position in the District but shall be guaranteed a position in the district commensurate with their training and/or experience.

Voting

Voting is an important responsibility we all assume as citizens. We encourage employees to exercise their voting rights in all municipal, state, and federal elections. Under most circumstances, it is possible for employees to vote either before or after work. If it is necessary for employees to arrive late or leave work early to vote in any election, employees should arrange with their supervisor no later than the day prior to Election Day.

COMPENSATION

Overtime

From time to time, employees may be required to work overtime. In these instances, employees are given as much advance notice as practical. Non-exempt employees are paid at the rate of one and one-half times their regular hourly rate for hours worked in excess of 40 during the established workweek. The established workweek begins at 12:01 a.m. on Sunday and ends at 12:00 a.m. midnight on Saturday. For purposes of calculating overtime payments, only hours actually worked are counted.

Paydays

Employees are paid on the 15th of each month, for time worked in the previous month (e.g., time worked during the month of November is paid on December 15th). If the regular payday occurs on a holiday or weekend, the payday is the last working day prior to the holiday or weekend.

On each payday, employees may view their statement showing gross pay, deductions, and net pay through the online employee service portal. Automatic deductions such as additional tax withholding, contributions to voluntary benefit plans, and individual savings plans may be arranged through Payroll.

For the employees' convenience, we offer the option of having their paycheck automatically deposited to their bank account.

Pay for Exempt Employees

Exempt employees must be paid on a salary basis. This means exempt employees will regularly receive a predetermined amount of compensation each pay period on a weekly basis. The District is committed to complying with salary basis requirements that allow properly authorized deductions.

If you believe an improper deduction has been made to your salary, you should immediately report this information to Human Resources. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will promptly be reimbursed.

Time Reporting

Nonexempt employees are required to record their time daily using the timekeeping system or a paper timesheet. At the conclusion of each pay period employees must review and certify the time record and submit it to their immediate supervisor for approval. It is necessary for employees to indicate whether the recorded hours are for time worked, or for time off. Employees must notify their supervisor immediately if their lunch is shorter than 30 minutes or if their lunch is interrupted by work. Nonexempt employees are expected to submit accurate and complete time records reflecting all hours worked.

Exempt employees are required to report to their supervisor if they have taken time off from their regular work schedule.

These records are the only ones used by the District to calculate employee pay and paid time off balances. It is very important that they are accurate and complete. Employees who also choose to keep their own personal time records must provide them to the District if they find a discrepancy between the District's records and their records. Employees must promptly notify Payroll of any mistakes in their time records or pay.

Employees also must notify Payroll if they perceive that anyone is interfering with their ability to record their time accurately and completely. All reports will be investigated, and appropriate corrective action will be taken. The District will not tolerate retaliation against employees for making a report or participating in an investigation.

Meal Periods

Non-exempt employees who work over five (5) consecutive hours will be provided at least one unpaid 30-minute meal break. During the break, employees will be relieved of all duties and permitted to pursue personal activities. If the nature of the business activity or other circumstances exist that makes an uninterrupted meal break impracticable, the employee will be allowed to consume an on-duty meal without any loss of time or compensation.

Work Away from Normal Location

Employees are expected to work at the office or school location to which they are assigned, but occasionally may be required to work at other locations. Any and all arrangements to work out of the office must be pre-approved by the employee's supervisor. If a non-exempt employee works at an alternative location that does not have a timeclock, the employee must record their time on a blue sheet and obtain their supervisor's approval on the form.

Pre-approval of Extra Time and- Overtime for Non-Exempt Employees

If an employee works extra time, their supervisor may adjust the employee's scheduled hours later in that same week to ensure they do not exceed their scheduled hours for the week. If the employee works beyond their scheduled hours, they will be paid for the extra time. Overtime will be paid after 40 hours within that workweek. If the employee works extra time or overtime without prior approval, they can expect the supervisor to counsel them. Unauthorized overtime is prohibited.

The District does not use "comp time." The District pays employees for time worked in each workweek. The District is required to pay overtime (1.5 times your regular hourly rate of pay) for any hours worked in excess of 40 in a work week.

Calendars

The work year for all employees who are scheduled to work less than 12 months shall be determined by the job classification as approved by the Superintendent or designee. The work year for 12-month employees shall be determined by the official calendars adopted annually by the Board of Education. If the Board declares a fiscal emergency during a budget year as allowed by state law, it may alter the work year of all employees. Three general categories of calendars have been established:

- **Full year:** Any employee who is hired for a full- or part-time position and is scheduled to work 260/261 days per year.
- **Extended year:** Any employee who is hired for a full- or part-time position and is scheduled to work more than the District approved school calendar days in a given year.
- **School year:** Any employee who is hired for a full- or part-time position and is scheduled to work the District approved school calendar days in a given year.

If an employee switches work days, their calendar is not altered. However, if a non-exempt employee does not work a day on which they are scheduled, they will not be paid for the day. Conversely, if a non-exempt employee works on a nonscheduled day, they will be paid for the time worked.

TECHNOLOGY AND COMMUNICATIONS SYSTEMS

Use of Internet and Communication Systems ([Policy GBEE](#))

The District's computer network, access to internet, e-mail and voice mail systems are business tools intended for employees to use in performing their job duties. Therefore, all documents and files are the property of the District. Staff members shall have no expectation of privacy when using the internet or electronic communications. All information regarding access to the District's computer resources, such as user identifications, modem phone numbers, access codes, and passwords are confidential district information and may not be disclosed to non-district personnel.

All computer files, documents, and software created or stored on the District's computer systems are subject to review and inspection at any time. This includes web-based email employees may access through District systems, whether password protected or not. Employees should not assume that any such information is confidential, including email either sent or received.

Computer equipment should not be removed from the District premises without written approval from a department head. Upon separation of employment, all communication tools should be returned to the District.

Personal Use of the Internet

Some employees need to access information through the internet in order to do their job. Use of the Internet is for business purposes during the time employees are working. Personal use of the internet should not be on business time, but rather before or after work or during breaks or lunch period. Regardless, the District prohibits the display, transmittal, or downloading of material that is in violation of district guidelines or otherwise is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful at any time.

Software and Copyright

The District fully supports copyright laws. Employees may not copy or use any software, images, music, or other intellectual property (such as books or videos) unless the employee has the legal right to do so. Employees must comply with all licenses regulating the use of any software and may not disseminate or copy any such software without authorization. Employees may not use unauthorized copies of software on personal computers housed in district facilities.

Unauthorized Use

Employees may not attempt to gain access to another employee's files, e-mail messages, or send a message under someone else's name without the latter's express permission. Employees may not allow their password to be used by another person. Employees are strictly prohibited from using the district communication systems in ways that administration deems to be inappropriate. If you have any question whether your behavior would constitute unauthorized use, contact your immediate supervisor before engaging in such conduct.

Email

Email is to be used for business purposes. While occasional personal email is permitted, it is to be kept to a minimum and should be done before or after work or during breaks or lunch. The District prohibits the display, transmittal, or downloading of material that is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful at any time. No one may solicit, promote, or advertise any outside District, product, or service through the use of e-mail or anywhere else on district premises at any time. The District may monitor email at any time, with or without notification to the staff member.

Employees are prohibited from unauthorized use or sharing of encryption keys or the passwords of other employees to gain access to another employee's e-mail messages, computer files, or access to online software or databases.

District 49 is a public employer, and as such, employee correspondence through district e-mail may be made public under the public records law, and may be subject to public disclosure.

Voice Mail

The district voicemail system is intended for transmitting business-related information. Although the District does not monitor voice messages as a routine matter, the District reserves the right to access and disclose all messages sent over the voicemail system for any purpose. Employees must use judgment and discretion in their personal use of voice mail and must keep such use to a minimum.

Telephones/Cell Phones/Mobile Devices

Employee work hours are valuable and should be used for business. Excessive personal phone calls can significantly disrupt business operations. Employees should use their break or lunch period for personal phone calls.

Phones and mobile devices with cameras should not be used in a way that violates other District guidelines such as, but not limited to, EEO/Sexual Harassment and Confidential Information. Employees' use of a cell phone or mobile device to access District systems is restricted/prohibited without prior authorization. Such access, once authorized, may subject the employee's personal device to discovery requests or District action. Employees authorized to access District systems and information using a personal device must immediately inform the District if the device is lost or stolen.

For safety reasons, employees should avoid the use of cell phones and mobile devices to make calls while driving. Employees must park whenever they need to use a cell phone. Generally, stopping on the shoulder of the road is not acceptable. Employees are prohibited from using a cell phone or other device to text while operating a motor vehicle. Texting is permitted only where the vehicle is at rest and lawfully parked.

Social Media

Social media includes all means of communicating or posting information or content of any sort on the internet, including to your own or someone else's weblog or blog, journal or diary, personal

website, social networking or affinity website, web bulletin board, or a chat room, whether or not associated or affiliated with the District, as well as any other form of electronic communication.

Postings by an employee are considered personal communications and are not District communications. Ultimately, the employee is solely responsible for what they post online. All social media postings on behalf of the District must be pre approved and sent by authorized employees.

Employees are encouraged to make complaints to the District using the complaint process. Complaints to the District regarding these issues should be made consistent with the complaint process in this handbook so that the District can address them.

Nothing in this guideline is meant to interfere with employees' right under state law to engage in protected and concerted activity, including employees' ability to discuss terms and conditions of their employment.

WORK ENVIRONMENT

Alcohol and Drug-Free Workplace ([Policy GBEC](#))

The District recognizes the importance of maintaining a workplace that is free from alcohol and drugs to enhance the safety and welfare of staff members and students and ensure compliance with applicable law. Therefore, it is a violation of Board policy for an employee to manufacture, distribute, dispense, possess, use or be under the influence of alcohol or illicit drugs on district property, in or on district vehicles or any other school approved vehicle, at any school-sponsored activity or event, or off district property when the employee is on duty. This includes working after the apparent use of marijuana regardless of marijuana's legal status.

"Illicit drugs" means narcotics, drugs and controlled substances as defined in law. Although some actions involving marijuana are no longer prohibited by state law, due to federal law's prohibitions, and as a recipient of federal funds, the District has an obligation to maintain a drug-free workplace. Therefore, marijuana is also defined as an "illicit" drug in addition to any prescription or over-the-counter drug that does not meet the criteria outlined in Board policy GBEC.

Policy Violation

An employee knowingly in the possession of or under the influence of alcohol or any illicit drugs will be placed on administrative leave immediately by the principal or supervisor if such use or possession is:

1. on District property at any time; or
2. at any other site where the employee has been assigned and is performing duties at that location in the capacity of a District employee; or
3. at any school-sponsored or school-sanctioned activity.

Compliance with this policy is a condition of employment. A violation will result in appropriate disciplinary action up to and including dismissal and referral for prosecution. In appropriate circumstances and at the District's discretion, disciplinary actions may include the completion of a treatment plan. However, the District is not required to offer rehabilitation in lieu of dismissal or other discipline to any employee who has violated the policy.

Anti-Violence ([Policy GBEB](#))

Any action, which in the administration's opinion is inappropriate to the workplace, will not be tolerated. Such behaviors may include, but are not limited to, physical and/or verbal intimidating, threatening, or violent conduct, vandalism, sabotage, arson, use of weapons, and bullying. Also prohibited is the carrying of weapons onto District property, regardless of whether the employee possesses a concealed carry permit.

Employees should immediately report any such occurrences to their supervisor or to the Human Resources Department. We will investigate complaints. When employees are found to have engaged in the above conduct, management will take action that it believes is appropriate.

Employees should contact their supervisor, the Director of Safety and Security, or directly contact

proper law enforcement authorities if they believe there is an immediate serious threat to the safety and health of themselves or others. If you are a victim of domestic violence, please contact Human Resources for assistance.

Workplace bullying is repeated mistreatment through verbal abuse, offensive conduct/behaviors and work interference. Employees who feel they are subjected to workplace bullying are advised to contact Human Resources.

Appearance, Attire and Hygiene ([Policy GBEBA](#))

Employees are expected to dress in a manner normally acceptable in a learning environment. You are expected to be neat, clean, and well groomed. Employee dress and grooming should be appropriate to the work situation. If employees report for work improperly dressed or groomed in the District's opinion, their supervisor may instruct them to return home to change clothes.

Attendance and Punctuality

All employees are expected to be on time and punctual for showing up to work. In addition, regular attendance is considered an essential function and is necessary for the efficient operation of the school and/or department. Employees who are going to be absent or late must contact their supervisor/manager as soon as possible prior to the start of their shift. Failure to call in when absent for three (3) consecutive days may result in termination.

Children in the Workplace

Typically, children of employees are not permitted to be in the workplace. Exceptions may be made in unusual situations and with supervisor approval. Employees with questions regarding children in the workplace or what constitutes an emergency should discuss this with their immediate supervisor.

Confidential Information ([Policy GBEA](#))

Employees of the District may have access to confidential information of the District and our staff and/or students. Disclosure of confidential information may seriously damage the District's reputation and credibility, and therefore such action will not be tolerated. Confidential information includes, but is not limited to, information concerning student information, personal, medical, or financial information and similar subjects. This non-disclosure prohibition applies both during and after an employee's employment. Any copying, reproducing, or distributing of confidential information in any manner must be authorized by an administrator. Confidential information remains the property of the employer and must be returned to the District upon separation or at any time upon demand.

Conflicts of Interest ([Policy GBEA](#))

In making decisions, all employees of the District must exercise sound independent judgment. Personal or outside interests or relationships must not influence employees to the detriment of the District. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or a closely related person.

To minimize conflict of interest concerns, the District prohibits the following regarding close relationships:

1. No employee may exercise supervisory, evaluative, appointment, dismissal, or disciplinary authority over another employee when they share a close relationship.
2. The Superintendent may not recommend employment of any person who shares a close relationship with a current: Director of the Board of Education, Superintendent, Executive Director for People and Culture, or any of their administrative assistants.
3. The Superintendent may not recommend employment or reassignment of any closely related person of a Zone Leader, Executive Director, Director, Principal, or Assistant Principal ("program leader") to a position under the supervision and authority of that program leader.
4. No staff member employed in the central offices for Human Resources, Communications, Business, or Safety shall exercise any access to information about or activity by another employee when they share a close relationship.

"Close relationship" and "closely-related persons" refer to relationships that could cause a conflict of interest or a perceived conflict of interest and include individuals related by biology, adoption, marriage, domestic partnership or business partnership. Close relationships also refer to sexual or romantic relationships or those sharing a household.

Employees are required to disclose any close relationship and potential conflicts of interests to the Human Resources department. If employees have any question whether a situation is a conflict of interest, employees should discuss the matter with Human Resources.

Discipline/Discharge

Occasionally performance or other behavior falls short of District standards and/or expectations. When this occurs, the administration takes action, which in its opinion, seems appropriate. Disciplinary actions can range from a formal discussion with the employee about the matter to immediate discharge. Action taken by the administration in an individual case does not establish a precedent in other circumstances.

Gifts (Policy GBEA)

The District recognizes that from time to time, the desire to give, accept or exchange gifts arises. Employees shall not accept gifts from students except as such gifts represent tokens. Token gifts from parents or students may be received by staff, but must not be solicited. The District considers letters from students expressing gratitude and appreciation to be appropriate.

Individual employees shall refrain from giving gifts to staff members who exercise any administrative or supervisory jurisdiction over them either directly or indirectly. The collection of money for group gifts shall be discouraged except in special circumstances such as bereavement, serious illness, or mementos at retirement.

Employees are prohibited from accepting gifts of other than minimal value from companies or organizations doing business with the District. An employee shall not accept a gift from any company or organizations doing business with the District if the acceptance of the gift would unduly

affect the employee in the performance of district duties. The acceptance of minor items, which are generally distributed by the company or organization through its public relations program, is appropriate for employees to receive. Gifts offered to all employees through the District's approved programs are appropriate.

To ensure all students have reasonable assistance without charge from their own teachers and to avoid placing a teacher in a position where they may have a conflict of interest, teachers shall not be permitted to receive money from parents or any source other than the District for tutoring any student they have in class or upon whose evaluation or assignment they will be called on to pass.

Identification Cards and Fobs (Policy GBM-R)

The District issues an identification (ID) card to each employee upon hire. The ID cards provide a measure of security by giving the District a way to verify the identity of persons who are on district property. Employees are expected to carry and display the ID card at all times.

Some ID cards contain technology that activates building access readers, but most do not. For employees who are not issued a card that allows access, the District will also issue a fob that will activate access readers. Human Resources sets access for each employee based on the position and the buildings to which each employee needs access. Both cards and fobs are district property and are to be returned to Human Resources upon termination of employment.

Inspections

After notice is given and with the employee's consent, the District may conduct searches of employees' personal effects. This may include, but is not limited to, lunch bags, boxes, purses, personal computers, packages or vehicles.

The District may conduct searches of the above items without employee consent if the District has a reasonable suspicion to believe that illegal activity is taking place and after obtaining a warrant to do so. Any illegal and unauthorized articles discovered may be taken into custody and will be turned over to law enforcement representatives.

Employees do not have a reasonable expectation of privacy in lockers, desks, cabinets or file drawers, all of which are keyed by the District and copies of those keys are kept by the District.

Job-Related Concerns

Employees who disagree or are dissatisfied with a District practice should promptly discuss the matter with their immediate supervisor, where appropriate. Normally, this discussion should be held within three to five days of the incident, or in a timely manner. Discussions held in a timely manner will enhance our ability to resolve concerns while they are fresh in everyone's mind. The majority of misunderstandings can be resolved at this level.

If the concern is not resolved to the employee's satisfaction, they may submit a Stakeholder Grievance Form (found online at www.d49.org/grievance). Their submitted form will be sent to the district administrators designated as grievance facilitators, one of whom will be assigned to facilitate the grievance. The assigned facilitator will contact the employee to confirm receipt and

review the grievance process. Also see the EEO/Harassment Complaint Procedure on page 7.

Personnel Records ([Policy GBJ](#))

The District maintains a personnel file for each employee, which includes records related to job performance, attendance, training records, credentials, experience and education. Employees may inspect their personnel files upon request. To request an inspection, employees shall submit a written request to a Human Resources Manager. Human Resources typically arranges a meeting with the employee to review the file within five (5) business days.

References

If employees receive a call inquiring about an employee (former or current), please refer the caller to Human Resources. Only Human Resources is authorized to respond to such inquiries. This restriction includes recommendations on social media sites.

Smoking/Tobacco Free

It is our objective to provide a smoke-free and tobacco-free environment within the District. Smoking and the use of tobacco products, as well as electronic cigarettes, is prohibited within all district campuses, to include parking areas and district vehicles. This restriction applies to all employees and visitors, at all times, including non-business hours.

Separation of Employment

If an employee desires to end their employment relationship with the District, we ask that they notify us as soon as possible of the intended separation. Notice generally allows sufficient time to transfer work, cover shifts, return District property, review eligibility for continuation of insurance, and make arrangements for the employee's final pay.

Employees who plan to retire are asked to provide sufficient advance notice to the District so we can timely process any pension forms or other retirement benefits to which an employee may be entitled. Employees in good standing who retire or resign from their positions may be eligible for rehire.

Data Disposal Policy

During the course of employment, the District will collect certain information that is classified as "personal identifying information," or PII, under applicable laws. Such information may include, but is not limited to:

- Employee's first and last name or initials;
- Username(s) and password(s);
- Social security number;
- Driver license or other identification card number;
- Medical documentation;
- Biometric data;
- And more.

The District may keep these records in paper and/or electronic format. When such documentation is no longer needed, pursuant to records retention requirements and best practices, the District will either (a) destroy the records or (b) arrange for their destruction, e.g. by shredding, erasing, or otherwise modifying the personal identifying information in such a manner as to render it unreadable or indecipherable through any means.

ACKNOWLEDGMENT OF RECEIPT

I HAVE RECEIVED A COPY OF THE EMPLOYEE HANDBOOK DATED. I UNDERSTAND THAT I AM TO BECOME FAMILIAR WITH ITS CONTENTS. FURTHER, I UNDERSTAND:

- UNLESS OTHERWISE SPECIFIED IN AN EMPLOYMENT CONTRACT, EMPLOYMENT WITH DISTRICT 49 IS AT-WILL. AT-WILL EMPLOYEES HAVE THE RIGHT TO END THE WORK RELATIONSHIP WITH THE DISTRICT, WITH OR WITHOUT ADVANCE NOTICE FOR ANY REASON. THE DISTRICT HAS THE SAME RIGHT.
- NO REPRESENTATIVE OF DISTRICT 49, OTHER THAN THE BOARD OF EDUCATION OR THE SUPERINTENDENT, HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE BOARD OF EDUCATION PRESIDENT OR THE SUPERINTENDENT AND MYSELF.
- THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS OF THE ADMINISTRATION ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR A SPECIFIC DURATION.
- THE HANDBOOK IS NOT ALL INCLUSIVE, BUT IS INTENDED TO PROVIDE EMPLOYEES WITH A SUMMARY OF SOME OF THE DISTRICT'S POLICIES, PROCEDURES, AND GUIDELINES.
- THIS EDITION REPLACES ALL PREVIOUSLY ISSUED HANDBOOKS. THE NEED MAY ARISE TO CHANGE THE GUIDELINES DESCRIBED IN THE HANDBOOK, EXCEPT FOR THE AT-WILL NATURE OF EMPLOYMENT. THE DISTRICT THEREFORE RESERVES THE RIGHT TO INTERPRET THEM OR TO CHANGE THEM WITHOUT PRIOR NOTICE.

Employee Signature

Printed Name

Date