

# Medford Area Public School District

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## Employment Handbook for Support Staff

**Assistants, AV Technicians, Bus Drivers, Cooks,  
Custodians, Secretaries, & Specialists**



**Note** The content of this handbook does not constitute nor should it be construed as a promise of employment or as a contract between Medford Area Public School District and any of its employees.

Medford Area Public School District at its option, may change, delete, suspend, or discontinue parts or the policy in its entirety, at any time without prior notice.

The most current handbook is available on the Medford Schools Intranet. Any changes will be emailed to staff.

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## **1 INTRODUCTION**

This document has been developed by the Human Resources Department in order to familiarize employees with the Medford Area Public School District and provide information about working conditions, key policies, procedures, and benefits affecting employment with the Medford Area Public School District.

### **1.1 Welcome**

Welcome to the Medford Area Public School District! We are happy to have you as a member of our staff!

The mission of the Medford Area Public School District is to ensure that all students learn.

### **1.2 Changes in Policy**

This handbook supersedes all previous employee handbooks, collective bargaining agreements, and memos.

While every effort is made to keep the contents of this document current, the Medford Area Public School District reserves the right to modify, suspend, or terminate any of the policies, procedures, and/or benefits described in the handbook with or without prior notice to employees.

Moreover, if any Handbook provisions are in conflict with the District's policies and procedures, federal and state laws and regulations, or fringe benefit policies and procedures, the Handbook will be interpreted by the District so as to conform to the policies, procedures, laws and/or regulations. If any Handbook provisions are ambiguous, the District has the discretion to interpret the provisions.



## **2 EMPLOYEE DEFINITION AND STATUS**

An “employee” of Medford Area Public School District is a person who regularly works for the Medford Area Public School District (full-time or part-time) on a wage/hourly basis. This employment handbook is for all of the following classifications within the Medford Area Public School District: Assistants, AV Technicians, Bus Drivers, Cooks, Custodians, Secretaries, and Specialists.

### **2.1 Employment Classification**

Employees of the Medford Area Public School District are classified as either “exempt” or “non-exempt.” This is necessary because, by law, employees in certain types of jobs are entitled to overtime pay for hours worked in excess of forty (40) hours per workweek.

In addition to the above overtime classifications, every employee is assigned an employment status classification: regular full-time, regular part-time, temporary (full-time or part-time), regular hourly, contingent hourly, etc.

Each position will be scheduled for a prescribed annual number of hours per year (July 1 – June 30). This number of prescribed annual hours is exclusive of adjustments due to extra work and/or shortage of work and subject to modification at any time by the District pursuant to the terms of this handbook. The normal work day for all employees shall be designated by the District.

### **2.2 Probationary Period for New Employees**

A probationary period of 180 working days shall be served by all employees entering the employment of the district. During the 180 working day probationary period, such employees may be disciplined, up to and including discharge, for any reason, so long as the reason is not discriminatory or otherwise prohibited by law.

### **2.3 Post Probationary Period for Employees**

After the probationary period, an employee may be disciplined, up to and including discharge, for good and sufficient reason. Good and sufficient reason shall be defined as those reasons which are not wholly frivolous and inconsequential.



### **3 EMPLOYMENT POLICIES AND PROCEDURES**

#### **3.1 Equal Employment Opportunity - GBA**

The Medford Area Public School District is an equal opportunity employer. Personnel hiring and administration in the district are to be conducted so as not to discriminate against applicant(s) or employee(s) on the basis of age, race, sex or sexual orientation, disability, citizenship, marital status, pregnancy, national origin, handicap, creed, color, political affiliation, ancestry, arrest or conviction record, membership in the national guard, state defense force or any other reserve component of the military forces of the United States or Wisconsin, use or nonuse of a lawful product off school premises during nonworking hours or any other reason prohibited by state or federal law. Exceptions to this policy may only be made in accordance with state and federal law.

A complete copy of policy GBA can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

#### **3.2 Americans with Disabilities Act/ Wisconsin Fair Employment Act**

It is the policy of Medford Area Public School District to comply with all the relevant and applicable provisions of the Americans with Disabilities Act (ADA) and the Wisconsin Fair Employment Act (WFEA), which protect applicants and employees with disabilities. The Medford Area Public School District will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability. The District will consider reasonable accommodation(s) of disabilities upon request and receipt of medical verification.

#### **3.3 Immigration Law Compliance**

All offers of employment are contingent on verification of the candidate's right to work in the United States. Prior to the first day of work, every new employee will be asked to provide original documents verifying his/her right to work and, as required by federal law, to sign Federal Form I-9, Employment Eligibility Verification Form.

#### **3.4 Employee Background Check**

Prior to making an offer of employment, the Medford Area Public School District may conduct a job-related background check. A comprehensive background check may consist of prior employment verification, professional reference checks, education confirmation, and credit check.



### **3.5 Crime Information Records Check - GCDA**

Prior to the appointment of any person to a paid or volunteer position with the Medford Area Public School District, the district administrator or his/her designee will conduct a crime information records check through the Wisconsin Department of Justice.

If a crime records check reveals a conviction or pending charge which the candidate failed to disclose as required on the district application form, his/her application for employment will be rejected.

If the crime records check confirms a conviction or pending charge which the candidate acknowledged on the application form, a determination shall be made in consultation with administration, board of education, local police authorities, and/or legal counsel whether or not to reject the application based upon a consideration of the circumstances of the conviction/pending charge and whether the circumstances substantially relate to the nature of the particular position for which the candidate has applied.

A complete copy of policy GCDA can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

### **3.6 Pre-Employment Drug Testing – GBCBC**

It is the policy of the Medford Area Public School District, consistent with its obligations under state and federal law to establish and maintain drug-free schools and workplaces, to require applicants for covered positions to consent to a pre-employment, post-offer, drug test.

Securing a drug-free environment is vital to the district's duty to comply with legal mandates and its obligation to promote the health, welfare, safety, and education of students and employees. Because district employees render services to students, serve as role models for students, act as enforcers of student drug policies, and constitute potential sources of illegal drugs for students, the district has a compelling interest in eliminating illegal drug use from its workplaces and in ensuring that its employees are drug-free.

A complete copy of policy GBCBC can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

### **3.7 Staff Health and Safety – GBE**

In accordance with state law, a physical examination and certification that the individual poses no direct threat to the health or safety of the individual or others will be required of each school district employee at the time of his/her initial employment. This physical exam must include a chest x-ray or two-step tuberculin test. Freedom from tuberculosis in a communicable form is a condition of employment. If the reaction to the tuberculin test is positive, a chest x-ray shall be required. Additional physical examinations shall be required thereafter at intervals determined by the board of education.

Upon initial district employment, individuals will be given a two-step tuberculin skin test. If the reaction from the second test is negative (0 mm), no further testing will be necessary at that time. A positive reaction will be considered high risk and will be referred for a chest x-ray and follow-up with the school medical advisor. A positive reaction will be based upon 5, 10, or 15 mm criteria as described by the Department of Health and Social Services, State of Wisconsin.

In addition, to the extent permitted by law, the District may require an employee to submit to a job-related medical examination, by a health care provider selected by and paid by the District.

A complete copy of policy GBE can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

### **3.8 New Employee Orientation**

The formal welcoming process, or “employee orientation,” is conducted by a Human Resources representative, and includes an overview of the district and the employment handbook.

### **3.9 Personnel Records and Administration - GBL**

A personnel file shall be maintained for each employee and may include, but is not limited to, such information as application, credentials, transcripts, references, evaluations, and other pertinent information concerning the employee. Personnel files shall be housed in the administrative offices. Individual personnel records shall be maintained in accordance with state and federal laws and regulations. An employee shall have the right to review the contents of his/her personnel file pursuant to state and federal law.

A complete copy of policy GBL can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

### **3.10 Change of Personal Data**

Any change in an employee's name, address, telephone number, marital status, dependents, direct deposit accounts, or a change in the number of tax withholding exemptions, needs to be reported to the Human Resources Department or Payroll.

### **3.11 Control of Lockers and Facilities – Staff – GBCE**

Lockers and other places of storage are offered to staff as a convenience, but the ownership and possessory control of these facilities remains with the board of education and its appointed authorities. All lockers and other places of storage on school grounds

are deemed to be the property of the school, and as such, are subject to search by school personnel as determined necessary or appropriate without staff notice, without consent, and without a search warrant. Therefore, employees have no expectation of privacy in lockers and other physical space in the District.

A complete copy of policy GBCE can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

### **3.12 Employment of Relatives**

The Medford Area Public School District is pleased to consider for employment qualified applicants who are related to employees. When the Medford Area Public School District employs more than one member of a family, one family member may not supervise the other. If such a situation should arise and the employees are unable to develop a workable solution, management will decide which employee may be transferred.

### **3.13 Staff Conflicts of Interest – GBCA**

No employee of the Medford Area Public School District may have a substantial interest in any contract, purchase of materials, or any other transaction involving district funds except as provided by law.

The board of education requires private disclosure of any pecuniary interest which any employee of the district may have in any transaction involving school district funds.

A complete copy of policy GBCA can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

### **3.14 Weather-Related and Emergency-Related Closings**

Work schedule for employees when school is not held for students for an entire day:

- All secretaries and custodians are expected to report to work. Therefore, you must contact your building principal or supervisor if you cannot make it in or if you will be delayed.
- All other employees are not required to report to work. Inclement weather days may or may not be made up by employees at the discretion of the building principal or supervisor.

Work schedule for employees when the school day has a delayed start:

- All secretaries, cooks, and custodians will work regular hours unless granted approval by the building principal or supervisor.
- All other employees are to report to work at a later time equivalent to the number of hours school is delayed unless granted approval by building principal or supervisor. Please sign in at the central office upon your arrival.

Work schedule for employees when school is closed after students and employees have begun the school day – early departure/dismissal:

- All secretaries, cooks, and custodians will work regular hours unless granted approval by the building principal or supervisor.
- All other employees shall depart when the students are dismissed unless granted approval by the building principal or supervisor. Employees must sign out of the central office if you leave prior to your normal departure time.

Time sheets must reflect your actual time worked.

### **3.15 Staff Serving as Volunteers – GBFA**

Staff of the Medford Area Public School District may serve as non-school volunteers such as: Auxiliary Police, Emergency Medical Technicians, Volunteer Fire Fighters, United Way, Big Brothers/Big Sisters, etc. However, staff may not be absent from scheduled/assigned work to perform these volunteer functions. Exceptions may be made by the district administrator and/or his/her designee.

A complete copy of policy GBFA can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

### **3.16 Staff Participation in Political Activities – GBG**

The Medford Area Public School District Board of Education recognizes that staff members have civic responsibilities and/or rights, including the right to vote, to be an active member of the political party of their choice, to campaign for candidates for election to public office, and to seek, campaign for, and serve in public office.

In fulfilling their responsibilities as members of the staff, they shall refrain from exploiting their privilege of position. They shall not exploit students in any way for political purposes for themselves or for any party, candidate, or special interest group.

Political activities of staff members must be conducted outside of school hours and off school premises. They shall not use district facilities, equipment, or supplies in connection with their political activities.

A complete copy of policy GBG can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

### **3.17 Hazardous Communication**

Employees shall be provided with effective information on hazardous chemicals in their work area at the time of their initial assignment and as needed thereafter. Chemical-specific information is available through MSDS/SDS Online located on our district website and also on primary and secondary labels on the container/spray bottle. If you have questions regarding MSDS/SDS online or other issues pertaining to chemicals used in your work area, please contact your supervisor or building administrator.

## **4 STANDARDS OF CONDUCT**

### **4.1 General Guidelines**

All employees are expected to become familiar with the Medford Area Public School District rules and standards of conduct and are expected to follow these rules and standards faithfully in doing their own jobs and conducting the district's business.

### **4.2 Attendance and Punctuality**

The Medford Area Public School District expects employees to be ready to work at the beginning of assigned daily work hours, and to reasonably complete their projects by the end of assigned work hours.

### **4.3 Absence and Lateness**

From time to time, it may be necessary for an employee to be late or absent from work. The Medford Area Public School District is aware that emergencies, illnesses, or pressing personal business that cannot be scheduled outside work hours may arise. It is the responsibility of all employees to contact all affected parties if they will be absent or late. Excessive absenteeism and/or tardiness may result in disciplinary action, up to and including discharge.

### **4.4 Meal and Break Periods**

All employees who work four (4) or more hours per day will be granted a thirty (30) minute duty-free lunch period without pay. All employees are entitled to a ten (10) minute break in each four (4) hour work period with pay; except, employees who work less than six and one-half (6 ½) hours will be entitled to one ten (10) minute paid break. Breaks shall not be used to extend the lunch period or leave early or arrive late.

### **4.5 Harassment in the Workplace - GBCBA**

The Medford Area Public School District does not tolerate harassment in any form and will take all necessary and appropriate action to eliminate it, up to and including termination of offenders. It is the policy of the Medford Area Public School District to maintain and ensure a working environment free of any form of harassment or intimidation toward employees, board of education members, volunteers, staff in training, and applicants.

All employees of the Medford Area Public School District are required to be familiar with, and comply with, the policy of the Medford Area Public School District prohibiting harassment.

Any employee who believes they are victims of harassment should report their concerns to the building principal or the designated harassment officer as identified in the complaint procedure. Complaints under this policy shall be filed in a timely manner.

The building principal is generally responsible for compliance with state and federal regulations concerning harassment in his/her building. However, if the complainant is uncomfortable reporting to any administrator noted in this policy, or if the administrator is allegedly involved as a party to, or the focus of the complaint, the complainant may present the complaint to the district administrator or the board of education president.

If the complainant goes to a board of education member instead of following the steps prescribed in this policy, the board of education member will immediately refer the matter to the board of education president, or, if the board of education president is allegedly involved as a party to or the focus of the complaint, to the district administrator or other administrator.

**Step 1**

Any complaint shall be presented in writing or orally to the building principal, or in the case of district office personnel, to designated harassment officer. Oral complaints will be handled informally. If the complaint is submitted in writing, it should include the specific nature of the harassment and corresponding dates and also include the name, address, and phone number of the complainant. The building principal or other administrator shall notify the designated harassment officer. However, if the complainant is uncomfortable reporting to any administrator noted in this policy, or if the administrator is allegedly involved as a party to, or the focus of the complaint, the complainant may present the complaint to the district administrator or the board of education president.

**Step 2**

The building principal or other administrator shall fully investigate the complaint; notify the person who has been accused of harassment; develop a response to the allegation; and arrange a meeting within twenty (20) days after receipt of the written complaint to discuss the complaint with all concerned parties. The building principal or other administrator will file a copy of the complaint and response with the designated harassment officer within twenty (20) days after receipt of the written complaint.

**Step 3**

If the complainant is not satisfied with the answer of the building principal or other administrator, he or she may submit a written appeal to the designated harassment officer, indicating the areas of disagreement with the response and reason underlying such disagreement. Such appeal must be filed within twenty (20) days after receipt of the building principal's or other administrator's response. The designated harassment officer shall arrange a meeting with the complainant and other affected parties, if requested by the complainant, at a mutually agreeable time, to discuss the appeal. The designated harassment officer shall give a written response to the complainant's appeal within thirty (30) days after receipt of the notice of appeal. The designated harassment officer may exercise authority to discipline the employee, volunteer, staff in training, or applicant involved if he/she feels satisfied that the evidence as presented warrants the discipline. If the party involved is a board member, findings and recommendations shall be made to the full board of education.

#### **Step 4**

If the complainant or the designated harassment officer is not satisfied with the results of Step 3, he/she may file an appeal requesting a hearing with the district administrator within twenty (20) days after the decision in Step 3 has been rendered. If the district administrator is allegedly involved, party to, or the focus of the complaint, the appeal in Step 4 shall be filed with the president of the board of education or his/her designee.

#### **Step 5**

If the complainant or the district administrator wishes to pursue the matter further, either party may file an appeal requesting a hearing with the board of education within twenty (20) days after the decision in Step 4 has been rendered. The board of education will conduct a hearing about the matter and may take appropriate action in order to resolve any misconduct and/or the complaint.

A complete copy of policy GBCBA can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

### **4.6 Threats Against Staff by Students – GBEA**

Threats to and/or harassment of the Medford Area Public School District staff by students will not be tolerated. Any staff member being threatened or harassed by a student should immediately report it to the building principal. The building principal shall investigate the situation and take appropriate action which may include, but is not limited to, notification of parents, notification of police, suspension and/or expulsion. The district administrator should be informed as soon as possible.

A complete copy of policy GBEA can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

### **4.7 Confidential Information and Nondisclosure**

By continuing employment with the Medford Area Public School District, employees agree that they will not disclose or use any of the Medford Area Public School District's confidential information, either during or after their employment. The definition of "disclosure" includes releasing information to District staff who have no legitimate educational or business reason to receive the confidential information. The Medford Area Public School District sincerely hopes that its relationship with its employees will be long-term and mutually rewarding. However, employment with the Medford Area Public School District assumes an obligation to maintain confidentiality, even after an employee is no longer employed by the Medford Area Public School District.

### **4.8 Staff Ethics – GBC**

An effective educational program requires the services of men and women of integrity, high ideals, and human understanding. To maintain and promote these essentials, all

employees of the Medford Area Public School District are expected to maintain high standards in their school relationships.

A complete copy of policy GBC can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

#### **4.9 Staff Conduct – GBCB**

All staff members and volunteers have a responsibility to make themselves familiar with, and abide by, the laws of the state as they affect their work, the policies of the board of education and the regulations designed to implement them.

The realization of the Medford Area Public School District mission is depending upon the professional behavior of all staff. The list is intended to provide concrete examples of types of unacceptable conduct which may lead to termination. It is not intended to include all types of activity which could lead to discipline.

A complete copy of policy GBCB can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

#### **4.10 Dress Code**

Employees of the Medford Area Public School District are expected to present a clean and professional appearance while conducting business, in or outside of the office. Dressing in a fashion that is clearly unprofessional, that is deemed unsafe, or that negatively affects the Medford Area Public School District's reputation or image is not acceptable. If an employee is unsure whether a particular outfit or style complies with this provision, he/she is encouraged to discuss the matter with an administrator.

#### **4.11 Staff Use of School Facilities, Equipment/ Materials – GBCAA**

The facilities and equipment of the Medford Area Public School District exist for the benefit of student instruction. Employees may use facilities and/or equipment for non-instructional but not-for-profit purposes in accordance with District policies.

A complete copy of policy GBCAA can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

#### **4.12 Use of Computer, Mail, and Phone**

The Medford Area Public School District's property, including computers, phones, electronic mail, and voice mail, should be used only for conducting school business. Incidental and occasional personal use of school computers, phones, or electronic mail and voice mail systems is permitted, but information and messages stored in these systems will be treated no differently from other school-related information and messages. Therefore, employees have no expectation of privacy in information transmitted by District-owned computer, mail or phone.



#### **4.13 Internet Safety/ Telecommunications – Staff – GBCAB**

The power of electronic networks and resources is transforming the educational culture from one of isolation to one of connectivity. The one characteristic shared by all network sites is the use of common communication protocol to transmit data. The Medford Area Public School District provides telecommunication access for its users. These resources will be integrated where appropriate in the PreK-12 curriculum. When possible, the community will be partners with the district in telecommunications efforts. As users of the Medford Area Public School District telecommunications resources, it is essential that each user recognize his/her responsibility in having access to vast services, sites, and people. The user is ultimately responsible for his/her actions in accessing telecommunication services, and for adhering to district use policies, procedures and guideline. Employees have no expectation of privacy in information transmitted by District-owned computer, mail or phone.

A complete copy of policy GBCAB can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

#### **4.14 Use of Tobacco on School Premises – KGC**

The use of tobacco products shall be prohibited at all times on school premises. “School premises” include all property owned by, rented by, or under the control of the Medford Area Public School District, including District vehicles.

A complete copy of policy KGC can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

#### **4.15 Employee Possession, Use, Sale, or Distribution of Alcohol and Other Drugs - GBCBB**

It is the policy of the Medford Area Public School District to comply with the Drug-Free Workplace Act in order to further the health, welfare, and safety of students and employees.

No employee shall unlawfully manufacture, distribute, dispense, possess, or use alcohol or “controlled substances” (drugs) as defined in state and federal law on any school premises, in any school-owned or school-approved vehicles, or while involved in any school-sponsored activity.

In addition, any employee engaged in the performance of a grant received directly from the federal government shall notify the district administrator in writing of any criminal drug statute conviction for a violation occurring in the workplace within five calendar days of such conviction. Within thirty (30) calendar days of giving notice of such conviction, the employee shall be required to participate satisfactorily in a professional assessment and rehabilitation program.

The District may require that an employee submit to alcohol and/or drug testing upon reasonable suspicion of use or abuse in violation of this provision.

All employees shall abide by this policy. Any violation of this policy, including failure or refusal to participate satisfactorily in a required professional assessment and rehabilitation program, shall result in disciplinary action – consistent with the provisions of the current employee handbook, board of education policies, and local, state, and federal law – up to and including termination of employment and referral to law enforcement authorities for prosecution.

A complete copy of policy GBCBB can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

#### **4.16 Staff Gifts and Solicitations – GBI**

Gifts – The giving or exchange of gifts of significant material value between students and employees or other personnel is discouraged.

It shall be unlawful for any school district employee or school district official to receive or offer to receive, either directly or indirectly, any gift, gratuity, or anything of significant value which he/she is not authorized to receive from any person.

Solicitations – No non-school organization may solicit funds from staff members within the schools, which includes District staff members acting on behalf of non-school organizations, nor may anyone distribute flyers or other materials related to fund drives through the schools unless approved in advance by a building administrator.

A complete copy of policy GBI can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

#### **4.17 Staff-Student Relations – GBH**

The Medford Area Public School District is committed to quality educational programs requiring staff and students to possess integrity, dignity, high ideals, and human understanding.

Staff members of the Medford Area Public School District shall be expected to regard each student as an individual and to accord each the rights and respect due to any individual. The role of staff shall be as resource persons, motivators, helpers, and guides in the learning process.

The welfare and achievement of students are dependent upon positive relationships within the school environment.

A complete copy of policy GBH can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

#### **4.18 Use of School-Owned Vehicles – EEBA**

When conducting official school business, district staff shall use a school-owned vehicle if a school vehicle is available. In cases where a school vehicle is not available, district

staff shall provide their own transportation and shall be reimbursed at the board approved rate.

A complete copy of policy EEBA can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

#### **4.19 Use of Private Vehicles on School Business – EEBB**

The board discourages the use of private vehicles for district business. Staff will use district-owned vehicles whenever possible and should schedule activities and transportation needs far enough in advance to avoid any non-emergency use of private vehicles.

The district administrator will develop regulations for staff use of private vehicles that will safeguard the district, its employees, and students in matters of safety, insurance, and liability.

No staff member will use a private vehicle for district business without approval in accordance with established district procedures. Authorization to use a private vehicle must be obtained before actual use of the vehicle. School district administrators and teachers assigned to multiple buildings shall be granted standing authority to use their private vehicles for routine school-related business and/or to travel between district facilities. Staff members who are authorized to use a private vehicle on district business will be reimbursed in an amount established by the board.

Any traffic violations committed by a driver while using private vehicles are the financial responsibility of the driver. The vehicle driver and passengers must follow all applicable state of Wisconsin safety and legal requirements.

The district shall assume no responsibility for liability in case of accident, unless the employee or other person serving in an official capacity has obtained the required permission to transport students.

When driving his/her own vehicle, the driver must hold a valid driver's license and a certificate of insurance for the vehicle.

A complete copy of policy EEBB can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

#### **4.20 Staff Grievances – GBJ**

##### Informal Resolution:

An employee with a complaint related to employee discipline (except employee termination) or workplace safety should first seek to resolve the issue(s) with his/her immediate supervisor through informal discussion. Informal resolution of discipline complaints shall be initiated within seven (7) days of the date when an employee has been notified of the discipline. An employee complaint about a workplace safety issue may be raised informally at any time when the safety issue persists. If the employee fails to initiate the informal resolution process with regard to employee discipline within seven

(7) days, the employee waives any further entitlement to utilize the grievance process with respect to the discipline (except employee termination).

Time Limits for Filing a Grievance

If the informal resolution process does not resolve the complaint, and the employee believes that his/her complaint rises to the level of a grievance, as defined below, the employee may initiate a formal grievance pursuant to the procedures described herein. A grievance involving employee termination or discipline shall be filed no later than twenty-one (21) days after the employee receives notice of the discipline, termination or non-renewal of a contract pursuant to Wis. Stat. §118.22 or 118.24. A grievance involving workplace safety shall be filed no later than twenty-one (21) days after the employee first attempts to resolve his/her workplace safety concerns through the informal resolution process.

Definitions:

**Grievant** – A grievant is an employee whose own substantial interests related to termination, discipline, or workplace safety are adversely affected, denied, or controverted by a final administrative decision. In the cases of an employee with a definite term contract, a “final administrative decision” is defined to include, but not be limited to, a Board approved termination based on an informal hearing (see General Considerations, Paragraph C., in full policy). In the case of a teacher or administrator non-renewal, a “final administrative decision” is defined to include a Board approved non-renewal following the procedures set forth in Wis. Stat. §118.22 or 118.24.

**Grievance** – A grievance is a formal written complaint by an employee that a final administrative decision related to termination, discipline, or workplace safety violated, misapplied, or misinterpreted a local Board policy, administrative regulation or procedure, or specified federal or State law or rule, or in the case of an employee with a written employment contract, the terms of such written employment contract.

Days:

“Days” mean calendar days.

A complete copy of policy GBJ can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

## **4.21 Suspension and Dismissal of Staff – GCPD**

The board of education and the administrative team shall treat employees fairly and in accordance with the law. Any employee may be discharged, suspended, demoted, frozen in salary/position or otherwise disciplined by the district administrator or his/her designee, for good and sufficient reason. Employees may be placed on administrative leave with or without pay, as appropriate, for such time as may be necessary for investigation.

After a thorough investigation, any employee may be disciplined by the district administrator or his/her designee; however, to be discharged from service in the schools and to have his/her employment terminated, the board of education must act upon the recommendation of the district administrator.

A complete copy of policy GCPD can be found in each building library, administrator, staff lounge, or by contacting the Human Resource Department.

#### **4.22 Return of Company Property**

Any Medford Area Public School District property issued to employees, such as computer equipment, keys, curriculum, school credit card, etc. must be returned to the Medford Area Public School District at the time of termination. Employees will be responsible for any lost or damaged items.

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## **5 COMPENSATION POLICIES**

### **5.1 Base Compensation**

It is the Medford Area Public School District's desire to pay all employees wages that are competitive with other employers in the marketplace and in a way that will be motivational, fair, and equitable. Compensation may vary based on roles and responsibilities, individual, and district performance, and in compliance with all applicable laws.

### **5.2 Timekeeping Procedures**

By law, the Medford Area Public School District is obligated to keep accurate records of the time worked by employees. Each employee must fill out the appropriate timesheet. Timesheets are due the 5<sup>th</sup> and 20<sup>th</sup> of each month.

### **5.3 Overtime Pay**

Overtime compensation is paid to non-exempt employees in accordance with federal and state wage and hour restrictions. Thus, for all hours worked over forty (40) in a week (12:00 a.m. Monday through 11:59 p.m. Sunday), non-exempt employees will be paid 1½ times the employee's regular hourly rate. All overtime work performed must receive the supervisor's prior authorization. Hours not worked, but in paid status (e.g., sick leave, comp. time, funeral leave, holiday pay, personal leave, vacation) shall not count toward hours worked in a week for purposes of overtime pay.

### **5.4 Payroll and Paydays**

The frequency of the Medford Area Public School District payroll distribution is dependent upon an employee's employment status. Regular full-time and part-time employees (exempt or non-exempt) are paid semi-monthly on or by the 15th and last business day of each month.

### **5.5 Performance and Salary Reviews**

The Medford Area Public School District wants to help employees to succeed in their jobs and grow. In an effort to support this growth and success, the Medford Area Public School District has a review process for providing formal performance feedback.

### **5.6 Opportunities for Advancement—Progression and Promotion**

The Medford Area Public School District would like to provide employees with every opportunity for advancing to other positions or opportunities within the district. Approval of progression moves or promotions depends largely upon training, experience, work record, and business need. However, the Medford Area Public School District reserves the right to look outside the district for potential employees as well.

## **6 GROUP HEALTH AND RELATED BENEFITS**

### **6.1 Benefits Summaries and Eligibility**

The Medford Area Public School District sponsors a comprehensive benefits program for eligible employees, and each benefit plan has specific eligibility conditions. The details of each benefit are contained in separate legal documents known as the “plan documents,” which take precedence over anything contradictory in the summaries.

All full-time employees will enjoy all of the benefits described in this policy and the individual plan summaries as soon as they meet all of the eligibility requirements for each particular benefit. Part-time employees may be eligible for certain benefits if they meet the eligibility conditions.

Scheduled hours for purposes of the benefit provisions below shall only include those hours performed in the employee’s regular, primary position with the District. Hours worked in seasonal, sporadic or temporary positions, such as ticket-taker, coach, etc., shall not be included in the calculation.

### **6.2 Health Insurance**

The District shall continue to provide hospital and surgical insurance to all support staff who are scheduled to work 1,000 hours or more per year (July 1 – June 30). The District shall pay a percentage of the monthly premium for such insurance for some employees. This District will inform you upon hire what percentage the District will pay toward monthly premiums. The Board shall have the discretion and right to select the insurance carrier(s), the plan benefits and premium co-pay.

### **6.3 Dental Insurance**

The District shall continue to provide dental insurance to all support staff who are scheduled to work 1,000 hours or more per year (July 1 – June 30). The District shall pay a percentage of the monthly premium for such insurance for some employees. The District will inform you upon hire what percentage the District will pay toward monthly premiums. The Board shall have the discretion and right to select the insurance carrier(s), the plan benefits and premium co-pay.

### **6.4 Long Term Disability Insurance**

The District will provide long term disability insurance for all employees and shall pay the full monthly premium for such coverage. The plan will be selected by the Board and will provide benefits after a sixty (60) calendar day elimination period.

## **6.5 Insurance Continuation Notification**

According to the state and federal laws, in the event of your termination of employment with the Medford Area Public School District or loss of eligibility to remain covered under Medford Area Public School District's group health insurance program, employees and their eligible dependents may have the right to continued coverage under Medford Area Public School District's group health insurance program for a period of time at their own expense (unless legal exceptions apply) following the occurrence of a qualifying event.

## **6.6 Pre-tax Deductions for Expenses**

The Medford Area Public School District employees participating in any of the basic health insurance plans, i.e., group medical, dental and/or vision, are required to contribute to payment of the plan(s) premium(s) via payroll deduction cost sharing. In accordance with U.S. Internal Revenue Service provisions, the Medford Area Public School District provides employees the opportunity to participate in (a) Section 125 Plan and (b) Flexible Spending Accounts.

## **6.7 Worker's Compensation**

All employees are entitled to Workers' Compensation coverage paid by the Medford Area Public School District. This coverage is automatic and immediate and protects employees from work-related injury or illness. If an employee cannot work due to a work-related injury or illness, Workers' Compensation insurance pays his or her medical bills and provides a portion of his or her income until he or she can return to work.

## **6.8 Unemployment Compensation**

Unemployment compensation is designed to provide a temporary income for those who are out of work through no fault of their own. Depending upon the circumstances, employees may be eligible for Unemployment Compensation upon termination of employment with the Medford Area Public School District. The Division of Unemployment Insurance of each State's Department of Labor determines eligibility for Unemployment Compensation. The Medford Area Public School District pays the entire cost of this insurance program.

## **6.9 Social Security**

The United States Government operates a system of mandated insurance known as Social Security. As a wage earner, employees are required by law to contribute a set amount of weekly wages to the trust fund from which benefits are paid. As employer, the Medford Area Public School District is required to deduct this amount from each paycheck an employee receives. In addition, the Medford Area Public School District



matches employee contribution dollar for dollar, thereby paying one-half of the cost of employee Social Security benefits.

## 6.10 Retirement Benefits and Recognition

Eligibility - To be eligible for this benefit & recognition, we are only considering your primary position. The support staff must:

- 1) Work a minimum of nine (9) months per school year.
- 2) Attain the age of fifty-five (55) by the end of the contract year (June 30) in which he/she intends to retire.
- 3) Notify the district in writing by March 20 or another date if mutually agreed upon by the support staff and the District of his/her intention to retire at the end of the school year.
- 4) Complete the school year immediately preceding the date of retirement.

Exception: For a 12-month employee, after 20 years of employment, 60% of the eligible retirement benefit will vest with the employee. Example: If at age 45, an employee ceased employment with the district, who had been hired at age 22, 60% of \$7,500 would be paid out to that employee. 9, 10 and 11 month employee benefit will be prorated.

Any support staff position that requires a degree, i.e. COTA, Sign Language Interpreter, shall receive the same retirement benefit as a professional staff member.

Health Insurance - Upon retirement, the retired support staff will be eligible to be included in the district's current health insurance program subject to the rules, regulations, and eligibility requirements of the insurance carrier. However, the retired support staff is not required to remain covered by the district's health insurance program to be eligible for benefit described below. The retiree may choose to delay the receipt of the benefit described below; however, delay of the benefit will not affect the amount provided to the retiree.

Insurance Premiums - Upon retirement, the Board shall pay toward the retiree's insurance premiums until the retiree has exhausted the amount set aside for him/her at the time of retirement, according to the following schedule:

Years of Service	Benefit
15	\$ 5,000 + \$35.00 (per day of sick leave)
20	\$ 7,500 + \$35.00 (per day of sick leave)
25	\$10,000 + \$35.00 (per day of sick leave)
30	\$12,500 + \$35.00 (per day of sick leave)

For 9, 10, and 11 month employees, the retirement benefit will be prorated. Proration is as follows: 9 month employees 75%, 10 month employees 83.3%, and 11 month employees 91.7%

The benefit shall be applied to pay for 100% of the applicable premium until the benefit is exhausted. A retiree's benefits may be combined with those of their spouse if both support staff are employed by the Medford Area Public School District. Should a retiree receiving benefits under this section die before exhausting the benefit, the surviving

spouse shall continue to receive the benefit until the benefit has been exhausted or until the death of the surviving spouse, whichever occurs first.

Insurance Provision – For support staff who do not qualify for the above referenced benefit and for support staff who have exhausted their retirement benefits as described above, upon retirement, support staff may continue in the Health Insurance Plan, offered by the District to active employees, subject to the rules of the insurance carrier, providing they pay their own premium.

Eligible employees shall be required to contribute to the Wisconsin Retirement System the full employee-required contribution, as per the Employee Trust Funds Board. The District shall contribute the employer-required contribution.

Unused personal leave pursuant to Section 7.6 of this handbook shall be paid out at a rate of \$60.00 per day upon retirement.

## **6.11 Training and Professional Development**

A specific schedule of basic training and orientation has been established for each job and employment classification. The Medford Area Public School District encourages all interested employees to take advantage of the continuing education initiative and further job specific training. All courses must be approved by a supervisor and District Administrator.

## **6.12 Health Savings Account**

The district may make a deposit to all qualified participant's Health Savings Account each payroll period.



## **7 TIME-OFF BENEFITS**

### **7.1 Leaves**

Full-time employees are eligible to receive the leave benefits as described below. The District will pro-rate all leave benefits, including cumulative sick leave, for regular part-time employees.

Any support staff member obtaining leave benefits by fraud, deceit, or falsified statement or otherwise abusing the District's leave benefits, shall be subject to disciplinary action, up to and including discharge.

Scheduled hours for purposes of the leave provisions below shall only include those hours performed in the employee's regular, primary position with the District. Hours worked in seasonal, sporadic or temporary positions, such as ticket-taker, coach, etc., shall not be included in the calculation.

### **7.2 Holiday Pay**

Employees who are scheduled to work 1,700 or more hours per year based on prescribed annual hours (Section 2.1) will receive a paid holiday on each of the following days that occur during their regularly scheduled work year:

- July 4
- Labor Day
- Thanksgiving Day
- Christmas Eve
- Christmas Day
- New Year's Day
- Good Friday
- Memorial Day

Employees who are scheduled to work 1,699 or less hours per year based on prescribed annual hours (Section 2.1) will receive a paid holiday on each of the following days that occur during their regularly scheduled work year:

- Thanksgiving Day
- Christmas Day
- Good Friday
- Memorial Day

If the holiday falls on a Saturday or Sunday, either the Friday prior to or the Monday following shall be taken as the holiday as determined by the District; except, when Christmas Eve and Christmas Day fall on Saturday and Sunday respectively, and when December 23 is a school day, Christmas Eve and Christmas Day shall be observed on the following Monday and Tuesday.

Employees shall qualify for holiday pay if they are on the payroll the entire scheduled work day immediately prior to the holiday and the entire scheduled work day immediately following the holiday.

### **7.3 Vacation Time**

Employees scheduled to work at least 1,700 annual hours will be granted vacation based on prescribed annual hours (Section 2.1) upon approval of the building principal/supervisor in accordance with the following:

- In the first year, from the month of employment, vacation shall accrue one-half (1/2) day for every month worked, with a maximum of five (5) days of accrued vacation.
- Beginning with the first month of the second year of employment, vacation shall accrue at a rate of one (1) day for every month worked, with a maximum of ten (10) days per year.
- Beginning with the first month of the eighth year of employment, vacation shall accrue at a rate of one and one-half (1½) days for every month worked, with a maximum of fifteen (15) days per year.
- Beginning with the first month of the sixteenth year of employment, vacation shall accrue at a rate of two (2) days for every month worked with a maximum of twenty (20) days per year.
- All accrued vacation will be allocated on June 1 of each year, with allocated vacation to be used from June 1 of the current calendar year to June 30 of the next calendar year. Days not used during the appropriate year will be lost. Requests for vacation shall be made on a timely basis to the building principal/supervisor.
- Normally, vacation requests will be considered for non-school days only. Exceptions may be considered at the determination of the building principal/supervisor.
- In the event that a paid holiday falls within the week or weeks when the employee is on paid vacation, such holiday will be charged as a paid holiday and not deducted from the employee's accrued vacation leave.
- Vacation deductions will be made in 15 minute increments.
- An hourly employee whose services are terminated for any reason other than discharge, will be compensated for all earned (accrued) and unused vacation at their regular rate of pay. Any earned but not allocated vacation will be paid out and may not be used to extend your last day of work.

## **7.4 Sick Leave**

Employees who are scheduled to work 1,700 or more hours per year will be allocated twelve (12) days of sick leave on July 1. Sick leave can be used for absences caused by illness or disability of which twelve (12) days of sick leave for care of a sick dependent child living in the home of the employee that works 1,700 or more hours per year.

Employees who are scheduled to work 1,699 or less hours per year will be allowed nine (9) days of sick leave on July 1. Sick leave can be used for absences caused by illness or disability of which nine (9) days of sick leave for care of a sick dependent child living in the home of the employee that works 1,699 or less hours per year.

In addition, sick leave can be used for medical and dental appointments of the employee. Sick leave deductions will be made in 15 minute increments. Sick leave shall be cumulative to ninety-six (96) days.

An employee who has been absent from work due to illness may be required to provide medical verification of his/her illness and/or to submit to an examination by a licensed physician at the District's expense.

In the event that an employee's normal work day changes, the employee's accumulated sick leave shall be converted to hours and apportioned over the employee's new work schedule; provided, under no circumstances shall the accumulation exceed ninety-six (96) days.

In the event that a paid holiday falls within the week or weeks when the employee is on paid sick leave, such holiday will be charged as a paid holiday and not deducted from the employee's accrued sick leave.

Misuse of sick leave shall mean loss of pay for the days alleged as sick leave and may result in other appropriate disciplinary action, up to and including discharge.

Sick leave requests shall be made to the building principal/supervisor.

Payment for unused sick leave – A staff member who has accumulated ninety-six (96) days of sick leave will be reimbursed for unused cumulative sick leave above the ninety-six (96) days at the end of the school year at a rate of \$35.00 per day. Payments will be made prior to Christmas of the following school year. This benefit will be prorated according to the number of scheduled hours of work per day with 7.5 or more hours per day or, if less, the maximum number of hours allocated for that classification being considered a full day.

An hourly employee with ten (10) or more years of service whose services are terminated for any reason other than discharge, will be compensated for all unused sick leave at a rate of \$35.00 per day provided termination is effective on or before the day following the last day of classes for the school year.

## **7.5 Funeral Leave**

An employee is eligible for up to three (3) days, with pay, in the event of a death in the immediate family of the employee or spouse (immediate family is defined as spouse, mother, mother-in-law, step mother, father, father-in-law, step father, child, sister, step

sister, brother, step brother, daughter-in-law, son-in-law, sister-in-law, brother-in-law, grandparent, step grandparent, great grandparent, grandchild, foster parent, or foster child). If additional time off becomes necessary and is requested by the employee and approved by the District Administrator or designee, then the additional time off shall be deducted from the employee's sick leave.

A leave without loss of pay for one (1) full day will be allowed for attendance at a funeral of those relatives of the employee or spouse not covered in the first paragraph of this section. Relatives in this section shall mean: uncles, aunts, nieces, nephews, or cousins. If such leave is approved, a day of sick leave will be deducted from the employee's cumulative sick leave.

Misuse of funeral leave shall mean loss of pay for the days alleged as funeral leave and may result in other appropriate disciplinary action, up to and including discharge.

Employees shall utilize forms prepared by the District with respect to this leave.

## **7.6 Personal Leave**

All Personal Leave requests must be submitted to the employee's immediate supervisor. Employees will be allowed one (1) day of personal leave per school year. Personal leave days may be taken consecutively and combined with any other leave, including unpaid leave. Personal leave deductions will be made in 15 minute increments. Under this provision, an employee will bank any unused personal leave during a school year up to a maximum of three (3) days. Employees may carry over the three (3) banked days to be used in any subsequent year. The maximum number of total personal days used in one school year may not exceed four (4) days. Except in the case of emergency, forty-eight (48) hours advance notice to the principal or supervisor is required. Employees planning to use two (2) or more consecutive days must submit written request to the principal or supervisor at least fourteen (14) working days prior to the first day of the requested leave. No more than two (2) employees per department per building per day may be absent for personal leave. Leave under this section shall not extend holiday/vacation periods that are themselves three (3) or more days in length and may not be used on inservice days by an employee scheduled to attend inservice activities on said days and may not be used on the first or last day of student instruction. Exceptions may be made for a family event or situation that falls on the first or last day of student instruction, scheduled inservice day, parent-teacher conference day, or prior to or after a holiday break. Any requests that fall under this description must be brought to the attention of the District Administrator. The same staff member per building limit applies.

A staff member that has more than three (3) personal leave days at the end of the school years will be paid for all unused personal leave days over three (3) at a rate of \$60.00 per day. Payment for this unused leave will be made prior to Christmas of the following school year. This benefit will be prorated according to the number of scheduled hours of work per day with 7.5 or more hours per day or, if less, the maximum number of hours allocated for that classification being considered a full day.

Misuse of personal leave shall mean loss of pay for the days alleged as personal leave and may result in other appropriate disciplinary action, up to and including discharge.

Employees shall utilize forms prepared by the District with respect to this leave.

## **7.7 Unpaid Leave**

Employees will be allowed two (2) unpaid days per school year. An unpaid day will result in a loss in pay. Unpaid leave less than one (1) hour will not affect benefits. Unpaid leave deductions will be made in 15 minute increments. Additional unpaid leave requests will be considered on an individual basis. Additional days will result in a loss in pay as well as the pro-rated cost of health and dental insurance.

Employees shall utilize forms prepared by the District with respect to this leave.

## **7.8 Legal Leave**

Employees called to appear before legal proceedings in the capacity of a jurist, or summoned to appear for factors beyond his/her control, excluding claims, grievances, etc., filed by the employee against the District, shall not lose compensation for the discharge of such civic duty neither shall he/she gain in compensation for such duty.

An employee who is a party defendant to a judicial proceeding arising out of the employee's employment by the District shall also receive regular compensation from the District for all time obligated to be present at said proceeding, including such time rising out of a subpoena to appear as a witness unless the District is bringing the proceeding against the employee.

Employees are required to provide copies of legal proceeding notices to the District upon receipt.

In the case where the employee receives compensation from any source, other than the school district, such payment, less mileage reimbursement, shall be signed over by the support staff member to the District immediately upon its receipt by the employee in lieu of having any equivalent deduction made from the employees normal and regular pay.

## **7.9 Military Reserves or National Guard Leaves of Absence**

Employees who serve in U.S. military organizations or state militia groups such as the National Guard may take the necessary time off to fulfill this obligation and will retain all of their legal rights for continued employment under existing laws.

As an Equal Opportunity Employer, Medford Area Public School District is committed to providing the basic employment and reemployment services and support as set forth in the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

## **7.10 Family/Medical Leaves of Absence**

Employees will be allowed family or medical leave in accordance with Federal and State Law.

Misuse of family or medical leave shall mean loss of pay for the days alleged as family or medical leave and may result in other appropriate disciplinary action.

Employees shall utilize forms prepared by the District with respect to this leave.

The U.S. Department of Labor's Employment Standards Administration, Wage and Hour Division, administers and enforces the Family and Medical Leave Act (FMLA) for all private, state and local government employees, and some federal employees. Most federal and certain congressional employees are also covered by the law and are subject to the jurisdiction of the U.S. Office of Personnel Management or the Congress.

The FMLA entitles eligible employees to take up to 12 workweeks of unpaid, job-protected leave in a 12-month period for specified family and medical reasons, or for any "qualifying exigency" arising out of the fact that a covered military member is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation. The FMLA also allows eligible employees to take up to 26 workweeks of job-protected leave in a "single 12-month period" to care for a covered servicemember with a serious injury or illness.

#### EMPLOYER COVERAGE

The FMLA applies to all public agencies, including state, local and federal employers, local education agencies (schools), and private-sector employers who employed 50 or more employees in 20 or more workweeks in the current or preceding calendar year, including joint employers and successors of covered employers.

#### EMPLOYEE ELIGIBILITY

To be eligible for FMLA benefits, an employee must:

- work for a covered employer;
- have worked for the employer for a total of 12 months;
- have worked at least 1,250 hours over the previous 12 months; and
- work at a location in the United States or in any territory or possession of the United States where at least 50 employees are employed by the employer within 75 miles.

While the 12 months of employment need not be consecutive, employment periods prior to a break in service of seven years or more need not be counted unless the break is occasioned by the employee's fulfillment of his or her National Guard or Reserve military obligation (as protected under the Uniformed Services Employment and Reemployment Rights Act (USERRA)), or a written agreement, including a collective bargaining agreement, exists concerning the employer's intention to rehire the employee after the break in service.

#### LEAVE ENTITLEMENT

A covered employer must grant an eligible employee up to a total of 12 workweeks of unpaid leave during any 12-month period for one or more of the following reasons:

- for the birth and care of a newborn child of the employee;
- for placement with the employee of a son or daughter for adoption or foster care;
- to care for a spouse, son, daughter, or parent with a serious health condition;
- to take medical leave when the employee is unable to work because of a serious health condition; or
- for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation.

A covered employer also must grant an eligible employee who is a spouse, son, daughter, parent, or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness up to a total of



26 workweeks of unpaid leave during a “single 12-month period” to care for the servicemember.

Spouses employed by the same employer are limited in the amount of family leave they may take for the birth and care of a newborn child, placement of a child for adoption or foster care, or to care for a parent who has a serious health condition to a combined total of 12 workweeks (or 26 workweeks if leave to care for a covered servicemember with a serious injury or illness is also used). Leave for birth and care, or placement for adoption or foster care, must conclude within 12 months of the birth or placement.

Under some circumstances, employees may take FMLA leave intermittently – taking leave in separate blocks of time for a single qualifying reason – or on a reduced leave schedule – reducing the employee’s usual weekly or daily work schedule. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer’s operation. If FMLA leave is for birth and care, or placement for adoption or foster care, use of intermittent leave is subject to the employer’s approval.

Under certain conditions, employees or employers may choose to “substitute” (run concurrently) accrued paid leave (such as sick or vacation leave) to cover some or all of the FMLA leave. An employee’s ability to substitute accrued paid leave is determined by the terms and conditions of the employer’s normal leave policy.

“Serious health condition” means an illness, injury, impairment, or physical or mental condition that involves either:

- Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility, including any period of incapacity (i.e., inability to work, attend school, or perform other regular daily activities) or subsequent treatment in connection with such inpatient care; or
- Continuing treatment by a health care provider, which includes:

(1) A period of incapacity lasting more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also includes:

- treatment two or more times by or under the supervision of a health care provider (i.e., in-person visits, the first within 7 days and both within 30 days of the first day of incapacity); or
- one treatment by a health care provider (i.e., an in-person visit within 7 days of the first day of incapacity) with a continuing regimen of treatment (e.g., prescription medication, physical therapy); or

(2) Any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence; or

(3) Any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visits (at least twice a year) to a health care provider, and may involve occasional episodes of incapacity. A visit to a health care provider is not necessary for each absence; or

(4) A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment;

or

(5) Any absences to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three days if not treated.

#### MAINTENANCE OF HEALTH BENEFITS

A covered employer is required to maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. If applicable, arrangements will need to be made for employees to pay their share of health insurance premiums while on leave. In some instances, the employer may recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA leave.

#### JOB RESTORATION

Upon return from FMLA leave, an employee must be restored to the employee's original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. An employee's use of FMLA leave cannot result in the loss of any employment benefit that the employee earned or was entitled to before using FMLA leave, nor be counted against the employee under a "no fault" attendance policy. If a bonus or other payment, however, is based on the achievement of a specified goal such as hours worked, products sold, or perfect attendance, and the employee has not met the goal due to FMLA leave, payment may be denied unless it is paid to an employee on equivalent leave status for a reason that does not qualify as FMLA leave.

An employee has no greater right to restoration or to other benefits and conditions of employment than if the employee had been continuously employed.

#### NOTICE AND CERTIFICATION

**Employee Notice** -Employees seeking to use FMLA leave are required to provide 30-day advance notice of the need to take FMLA leave when the need is foreseeable and such notice is practicable. If leave is foreseeable less than 30 days in advance, the employee must provide notice as soon as practicable – generally, either the same or next business day. When the need for leave is not foreseeable, the employee must provide notice to the employer as soon as practicable under the facts and circumstances of the particular case. Absent unusual circumstances, employees must comply with the employer's usual and customary notice and procedural requirements for requesting leave.

Employees must provide sufficient information for an employer reasonably to determine whether the FMLA may apply to the leave request. Depending on the situation, such information may include that the employee is incapacitated due to pregnancy, has been hospitalized overnight, is unable to perform the functions of the job, and/or that the employee or employee's qualifying family member is under the continuing care of a health care provider.

When an employee seeks leave for a FMLA-qualifying reason for the first time, the employee need not expressly assert FMLA rights or even mention the FMLA. When an employee seeks leave, however, due to a FMLA-qualifying reason for which the employer has previously provided the employee FMLA-protected leave, the employee must specifically reference either the qualifying reason for leave or the need for FMLA leave.

**Employer Notice** - Covered employers must post a notice approved by the Secretary of Labor explaining rights and responsibilities under the FMLA. An employer that willfully violates this posting requirement may be subject to a civil money penalty of up to \$110 for each separate offense. Additionally, employers must either include this general notice in employee handbooks or other written guidance to employees concerning benefits, or must distribute a copy of the notice to each new employee upon hiring. Employers may use the notice prepared by U.S. Department of Labor to meet this requirement.

When an employee requests FMLA leave or the employer acquires knowledge that leave may be for a FMLA purpose, the employer must notify the employee of his or her

eligibility to take leave, and inform the employee of his/her rights and responsibilities under the FMLA. When the employer has enough information to determine that leave is being taken for a FMLA-qualifying reason, the employer must notify the employee that the leave is designated and will be counted as FMLA leave. Employers may use the optional forms WH-381 and WH-382 prepared by the U.S. Department of Labor to meet these notification requirements.

#### Certification

Employers may require that an employee's request for leave due to a serious health condition affecting the employee or a covered family member be supported by a certification from a health care provider. An employer may require second or third medical opinions (at the employer's expense) and periodic recertification of a serious health condition. An employer may use a health care provider, a human resource professional, a leave administrator, or a management official – but not the employee's direct supervisor – to authenticate or clarify a medical certification of a serious health condition. An employer may have a uniformly-applied policy requiring employees returning from leave for their own serious health condition to submit a certification that they are able to resume work. If reasonable safety concerns exist, an employer may, under certain circumstances, require such a certification for employees returning from intermittent FMLA leave. Employers may use the optional forms WH-380-E and WH-380-F prepared by the U.S. Department of Labor for obtaining medical certifications of serious health conditions.

#### UNLAWFUL ACTS

It is unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided by the FMLA. It is also unlawful for an employer to discharge or discriminate against any individual for opposing any practice, or because of involvement in any proceeding, related to the FMLA.

#### ENFORCEMENT

The Wage and Hour Division investigates complaints. If violations cannot be satisfactorily resolved, the U.S. Department of Labor may bring action in court to compel compliance. Individuals may also be able to bring a private civil action against an employer for violations.

#### OTHER PROVISIONS

Special rules apply to employees of local education agencies. Generally, these rules apply to intermittent leave or when leave is required near the end of a school term.

Salaried executive, administrative, and professional employees of covered employers who meet the Fair Labor Standards Act (FLSA) criteria for exemption from minimum wage and overtime under Regulations, 29 CFR Part 541, do not lose their FLSA-exempt status by using any unpaid FMLA leave. This special exception to the "salary basis" requirements for FLSA's exemption extends only to an "eligible" employee's use of leave required by the FMLA.

## **7.11 Extended Illness/Disability Leaves**

If a period of disability continues beyond the leave provided for by the state and/or federal Family and Medical Leave Acts, an employee may apply in writing for an extended disability leave. An employee may be granted a leave of absence without pay or benefits for up to one (1) year from the expiration of leave for complete recovery from such

illness/disability. If, at the end of the one (1) year unpaid leave of absence the employee is still unable to return to his/her assigned duties, the employee's employment rights shall terminate.

Upon return from such leave, the District will make every reasonable effort to assign the employee to a substantially equivalent position, as soon as such equivalent position is open; and provided a doctor approved by the Board certifies that he/she is able to resume his/her normal workload. Upon the employee's return to duty the employee shall be granted all benefits entitled to the employee at the time of extended illness/disability leave commenced.

## **7.12 Professional Leave**

The District Administrator or his/her designee may grant leave without loss of pay when it is evident that convention or conference attendance or observation of an activity in another school building or school system will contribute to the effectiveness of the instructional program.

The District Administrator or his/her designee will determine the category in which the professional leave request applies:

**District Initiative:** The conference is part of the district's overall goals and the staff member is asked to attend. District initiative is limited by district policy/procedures.

**Required:** The conference is part of mandatory training for the employee's job. Required is limited by district policy/procedures.

**Enrichment:** Any conference/workshop that would enhance an employee's knowledge or skills and falls under the job description, but does not fall under the district initiative or required categories. Enrichment cannot exceed two days every two years. No more than one employee per building can attend a conference on school calendar days.

Employees shall utilize forms prepared by the District with respect to this leave.

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## **8 EXPENSES**

### **8.1 Introduction**

The following is a guide to the Medford Area Public School District expense policy and procedures for the reporting and reimbursement of expenses. Any building administrator who approves expense reports should be familiar with this policy—authorizing an expense report indicates to the Medford Area Public School District that the expenses reported are legitimate, reasonable, and comply with this policy.

### **8.2 Company Supplies, Other Expenditures**

Only authorized persons may purchase supplies in the name of the Medford Area Public School District. No employee whose regular duties do not include purchasing may incur any expense on behalf of the Medford Area Public School District. Without a properly approved purchase order, the Medford Area Public School District is not obligated for any purchase.

### **8.3 Expense Reimbursement - DLC and DLCA**

Under ordinary circumstances, it is the policy of the Medford Area Public School District to reimburse travel expenses following district policy DLCA – Mileage Reimbursement. Persons traveling on Medford Area Public School District business are entitled to transportation, hotel accommodation, meals, and limited incidentals (for example, taxis and telephone calls) that meet reasonable and adequate standards for convenience, safety, and comfort. These expenses are outlined in district policy DLC.

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## **9 EMPLOYEE COMMUNICATIONS**

### **9.1 Open Communication**

Medford Area Public School District encourages employees to discuss any issues they may have with a co-worker directly with that person. If a resolution is not reached, employees should arrange a meeting with their direct supervisor. If the concern, problem, or issue is not properly addressed, employees should contact the Human Resources Department. Any information discussed in an Open Communication meeting is considered confidential, to the extent possible while still allowing management to respond to the problem. Retaliation against any employee for appropriate usage of Open Communication channels is unacceptable.

### **9.2 Suggestions**

Medford Area Public School District encourages all employees to bring forward their suggestions and ideas for making Medford Area Public School District a better place to work and enhancing service of the Medford Area Public School District. Any employee who sees an opportunity for improvement is encouraged to talk it over with administration. Administration can help bring ideas to the attention of the people in the district who will be responsible for possibly implementing them. All suggestions are valued.

### **9.3 Closing Statement**

Successful working conditions and relationships depend upon successful communication. It is important that employees stay aware of changes in procedures, policies, and general information. It is also important to communicate ideas, suggestions, personal goals, or problems as they affect work at Medford Area Public School District.

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## 10 ACKNOWLEDGMENT

I acknowledge that I have received a copy of the Medford Area Public School District Employment Policies, and I do commit to read and follow these policies.

I am aware that if, at any time, I have questions regarding Medford Area Public School District policies I should direct them to my building administrator or the Human Resources Department.

I know that Medford Area Public School District policies and other related documents do not form a contract of employment and not a guarantee of the conditions and benefits that are described within them. Nevertheless, the provisions of such Medford Area Public School District policies are incorporated into the acknowledgment, and I agree that I shall abide by its provisions.

I also am aware that Medford Area Public School District, at any time, may on reasonable notice, change, add to, or delete from the provisions of the District policies.

\_\_\_\_\_  
Employee's Printed Name

\_\_\_\_\_  
Position

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

**Do not sign and  
remove this page  
from handbook**

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