

## **HUMAN RESOURCES**

### **Leave and Leaves of Absence**

#### **Administrative Leave--Emergency**

This regulation supersedes Regulation 4810.8.

#### **I. PURPOSE**

To state the rules pertaining to leave that may be granted under emergency conditions.

#### **II. CONDITIONS AND DEFINITIONS**

- A. The Division Superintendent or his or her designee may authorize either liberal leave or emergency administrative leave when extreme weather, lack of utilities, civil unrest, or other situations call for the suspension of the usual attendance requirements for employees. Program managers shall, in advance of need and at least once annually, designate those employees who are considered essential personnel and who will not be covered under the liberal leave or emergency administrative leave provisions described below. Once liberal leave or emergency administrative leave has been declared, the leave shall be applied to all shifts of employees who work on the calendar day of the leave.
1. Liberal leave is the permission given to 12-month employees to use annual leave or leave without pay and less-than-12-month employees to use personal leave or leave without pay under emergency conditions (to include extreme weather) without prior approval of their supervisors. Liberal leave shall be in effect during the period in which the Division Superintendent or his or her designee declares it. Sick leave may be used in accordance with the current version of Regulation 4819 and established work location procedures. Previously arranged sick leave shall still be charged as sick leave.
  2. Full-day emergency administrative leave is time granted as an excused absence to employees. No personal, annual, or sick leave shall be charged to any employee(s) for the time designated as emergency administrative leave unless that employee has been designated by the program manager as essential.
  3. Less-than-full-day emergency administrative leave is time granted as an excused absence to employees who report to work on the day in which the less-than-full-day administrative leave is declared. Employees who do not report to work on the day that the less-than-full-day administrative leave is declared do not receive the benefit of the administrative leave.

- B. If any of the above conditions occurs at an individual school or work site (not systemwide), students and employees may be dismissed as necessary at the direction of the program manager. No makeup time shall be required for students or any employees in such situations unless the closing causes the student school year to fall below the mandatory 180 days.

### **III. LESS-THAN-FULL-DAY EMERGENCY ADMINISTRATIVE LEAVE**

If emergency conditions exist at the beginning of the workday or develop after the workday has begun, employees may be granted less-than-full-day administrative leave. All leave (sick, personal, annual, etc.) shall be charged in its entirety regardless of the unexpectedly shortened day. No makeup time shall be required of any employee(s) for less-than-full-day administrative leave under emergency conditions.

#### **A. Early Closing**

1. When schools (collectively or individually) are closed early due to emergency conditions, school-based teacher-scale and instructional assistant-scale personnel (and certain unified-scale employees indicated in footnote 1 of the attachment) may be dismissed if supervisory needs have been satisfied and if the emergency conditions affect the well-being of the employees. (For example, early dismissal of students during a heat wave may also warrant the early release of teachers after all students have left the school, provided no cool area of the building is available.) All other 12-month and less-than-12-month employees shall be granted liberal leave to the extent of the early closing.
2. Employees in paygrades US-01 through US-19 who are required to remain at work after offices and/or schools are closed for the day, and after emergency administrative leave has been granted, shall receive regular pay for the scheduled workday plus overtime pay (straight time or time and one-half, as applicable) for any hours worked after offices and/or schools are closed. Employees designated as essential shall be required to work under these conditions and shall be paid for the scheduled workday plus overtime pay for the hours worked. Essential personnel who do not report for shifts that fall after the administrative early closing shall be charged leave.

#### **B. School Delayed Opening**

When the opening of school for students is delayed, full-time school-based teacher-scale and instructional assistant-scale personnel may report late to the extent that the opening has been delayed. Part-time school-based teacher-scale and instructional assistant-scale personnel, whose normally scheduled duties begin within the one- or two-hour delayed opening, shall report at a designated time appropriate for their assignments. Program managers should, in advance of need, discuss with these employees the appropriate reduced workday based on educational and/or supervisory needs. All other personnel shall be expected to report to work at the usual time, although a liberal leave policy shall be in effect to

the extent of the delayed opening. Program managers may permit late arrivals on an individual basis as necessitated by severe weather conditions.

### **C. Administrative Offices Delayed Opening**

When the opening of the administrative offices is delayed, 12-month employees may report late to the extent that the administrative offices are closed. Employees designated as essential personnel by the program manager or principal shall report for work unless advised by the program manager or principal not to do so. Employees in paygrades US-01 through US-19 who are required to report to work during the period in which administrative offices are closed shall receive regular pay for the hours worked plus overtime pay (straight time or time and one-half, as applicable) for any hours worked when administrative offices are closed. Essential personnel who do not report to work for shifts that fall during the administrative delayed opening shall be charged leave. Program managers are encouraged to discuss with employees the procedures, as they relate to a particular work location, to be followed when less-than-full-day emergency administrative leave is declared. However, employees—other than those designated as essential—who arrive at their work locations on a day in which less-than-full-day administrative emergency leave is authorized shall be advised of the new starting time for work and compensated for the hours worked (minimum compensation of one hour). Employees shall report back to work at the revised starting time.

## **IV. FULL-DAY EMERGENCY ADMINISTRATIVE LEAVE**

When full-day emergency administrative leave is announced, schools and offices shall be closed. Employees designated as essential personnel by the program manager or principal shall report for work unless advised not to do so by the program manager or the principal. For employees in an active pay status, prearranged leave (sick, annual, personal, etc.) shall not be charged except for employees designated as essential who do not report for work as required by the program manager or principal. Employees not in an active pay status will not receive the benefit of emergency administrative leave. Under certain conditions, and for some groups of employees, the time may have to be made up (see attached chart). Program managers are encouraged to discuss, with employees, the procedures, as they relate to a particular work location, to be followed when full-day emergency leave is authorized. However, employees who arrive at their work locations on a day in which full-day emergency leave is authorized shall be sent home and compensated for the hours worked (minimum compensation of one hour).

## **V. EFFECT OF CLOSINGS ON ATTENDANCE, PAY, MAKEUP, AND LEAVE STATUS**

Attached to this regulation is a chart showing the effect on attendance requirements, pay, and leave status of various employee groups caused by the closing of schools only or both schools and offices. The chart also shows the effect of such actions if they are required before or after the three days beyond the state minimum attendance requirements that are built into the school calendar.

**VI. ESSENTIAL PERSONNEL**

By virtue of their responsibilities and the nature of the emergency, some employees may be deemed essential during an emergency situation by their principals or program managers. Such employees shall be on duty as notified regardless of the liberal leave or emergency administrative leave announcement.

See also the current version of: Regulation 4819, Sick Leave

**EFFECT OF EMERGENCY CLOSING ON  
ATTENDANCE, PAY, MAKEUP, AND LEAVE**

**Attachment  
Regulation 4810.9**

<b><u>WORK YEAR</u></b>	<b>First 3 Days Missed</b>		<b>Four or More Days Missed</b>	
	<b><u>Schools Closed<sup>1</sup></u> <u>Offices Open</u></b>	<b><u>Schools Closed</u> <u>Offices Closed</u></b>	<b><u>Schools Closed</u> <u>Offices Open</u></b>	<b><u>Schools Closed</u> <u>Offices Closed</u></b>
All Less-Than-12-Month Employees (Excluding Bus Drivers and Transportation Attendants)	Off Pay No Makeup No Leave Charged	Off Pay No Makeup No Leave Charged	Off No Pay Makeup No Leave Charged	Off No Pay Makeup No Leave Charged
Bus Drivers and Transportation Attendants <sup>2</sup>	Off Pay No Makeup No Leave Charged	Off Pay No Makeup No Leave Charged	Off Pay Makeup With Pay No Leave Charged	Off Pay Makeup With Pay No Leave Charged
12-Month Employees	Work Pay No Makeup Leave Charged	Off Pay No Makeup No Leave Charged	Work Pay No Makeup Leave Charged	Off Pay No Makeup No Leave Charged
12-Month Essential Personnel <sup>3</sup>	Work Pay No Makeup Leave Charged	Work Pay No Makeup Leave Charged	Work Pay No Makeup Leave Charged	Work Pay No Makeup Leave Charged

<sup>1</sup> All teachers and less-than-12-month employees assigned to work on a teacher workday should report on time with liberal leave policy in effect.

<sup>2</sup> Bus drivers and attendants are paid for all days in which students are in attendance plus authorized holidays, in-service days, and winter and spring break days. If a makeup day occurs on a holiday or a teacher in-service day, bus drivers and attendants receive double pay unless it is a scheduled non-paid day for employees on the transportation optional pay plan.

<sup>3</sup> Essential employees are identified by principals and program managers. For these employees eligible for overtime, pay is authorized at regular pay plus overtime pay.

For less-than-full-day closings of both schools and offices, all prearranged leave is charged as submitted.