

School District of Rhinelander
Employee Relations Committee

Monday, December 17, 2018

MEETING NOTES

The Employee Relations Committee meeting was called to order on Monday, December 17, 2018 at 5:00 p.m. in the Superior Diesel Advanced Learning Center-Rhinelander High School, located at 665 Coolidge Avenue, Rhinelander, WI.

Committee Members Present: Duane Frey, Judy Conlin, Dennis O'Brien
Committee Members Absent: None

Others present:

- Kelli Jacobi, Superintendent of Schools
- Board President Ron Counter as an Ex-Officio Committee Member
- Kayla Thomason of the Northwoods River News

The Pledge of Allegiance was led by Mr. Frey, Committee Chair.

Chair/Superintendent Reports/Comments (if any)

Mr. Frey and Superintendent Jacobi had nothing to report.

Citizens/Delegations

No citizens/delegations wished to address the Committee.

Report, Discussion and/or Action Topic(s)

Minutes of the March 19, 2018 Committee Meeting

The Minutes of the March 19, 2018 committee meeting were accepted.

Changes to Appendix A, Co-Curricular Activities Pay Schedule

The Committee recommended Board approval of the changes made to Appendix A, Co-Curricular Activities Pay Schedule, of the professional employee handbooks. Changes made - - -

- Since the FBLA/DECA (Future Business Leaders of America/Distributive Education Clubs of America) and FCCLA (Family, Career and Community Leaders of America) coaches, as well as the HOSA (Health Occupations Students of America) coach, are paid through the Carl Perkins Grant funds and it is possible that these funds may not be available in the future, these positions were excluded in the appendix at this time.
- Robotics Club Coach is funded through the Community Education Program, so that was stated as such on the appendix.
- Strength and Conditioning Coach pay was moved to the high school's head coach pay schedule since this position is funded through the high school's co-curricular activities budget.

Professional Employee Handbooks - Leaves/Absences

The administration proposed changes to portions of Article XVII, Leave, of the professional employee handbooks. The changes made follow with explanation provided below:

ARTICLE XVII
LEAVE

Professional Employees are expected to report for duty daily; however, when a professional employee must be absent from their duties, the following procedures must be followed:

- If the professional employee is in need of a substitute, he/she will be responsible for requesting a substitute through the District's web service for substitute contact.
- The absence of a professional employee will be reported in the District's web service for payroll and absences.
- Failure to complete the required process for leave from duties may lead to disciplinary action.

A. Emergency Leave

Emergency leave for professional employees shall not exceed three (3) school days, unless extended by the Superintendent/Designee. **Emergency leave** ~~Any extension days~~ will be deducted from the professional employee's sick leave. The professional employee is expected to verbally communicate with their immediate supervisor in a timely manner and in advance to be eligible for this leave or it will be considered unpaid leave. Emergency leave for professional employees must fall within the following categories:

1. Executor of will in probate.
2. Leave for Court Service - Whenever any full-time professional employee is required to be absent from work by a proper subpoena issued by a court or commission legally empowered to subpoena witnesses, which compels his/her presence as a witness, unless he/she is a party or an expert witness, he/she shall be allowed the time necessary, within limits set above, to be absent from work at his/her regular pay, provided he/she deposits any fees, except mileage, with the District.
3. ~~Accident or emergency treatment in the immediate family other than to the employee. Immediate family is defined as mother or mother-in-law, father or father-in-law, sister, brother, child, wife, husband, foster parents, grandparents, and grandchild.~~
4. A catastrophe concerning the dwelling or personal property of the individual.

B. Personal Leave

Personal leave shall be deducted from the employee's sick leave. Three (3) days per year shall be available to professional employees for personal leave. Prior approval shall be obtained through Administration and shall be determined by Administration on an individual and case-by-case basis.

1. The professional employee will give written notification to their immediate supervisor of his/her intent to take such personal leave twenty-four (24) hours in advance unless extenuating circumstances can be substantiated by the employee.
2. It is expected that professional employees will use this leave for important reasons and will provide such reason in writing to their immediate supervisor.
3. Personal leave shall not be used to extend any holiday or vacation periods, as shown on the District calendar, unless extenuating circumstances can be substantiated by the employee and approved in advance by Administration.
4. In the event of special circumstances (e.g. failure of a plane to fly during bad weather conditions), the professional employee shall notify his/her supervisor immediately.
5. Administration will deny personal leave when it has determined that the school cannot be appropriately staffed without said professional employee.
6. Personal leave cannot be used consecutively or concurrently, unless extenuating circumstances can be substantiated by the employee and approved in advance by Administration.

C. Sick Leave

1. Annually, professional employees will be allowed days of absence for sickness. These days will be prorated based on the employee's FTE.

1, 2, or 3 years in the District	12 days per year
4+ years in the District	10 days per year

Sick leave cannot be used in conjunction with long-term disability insurance benefits.

2. A professional employee may utilize sick leave for illness of the professional employee's child, spouse, or parent which requires the professional employee's presence. The professional employee shall make reasonable efforts to find alternatives to staying home with a sick child and/or spouse.
3. Full-time professional employees who serve for less than one (1) year shall be entitled to sick leave in proportion to their length of service.
4. Part-time professional employees shall be entitled to sick leave as prorated based on their FTE.

5. A professional employee's sick leave shall be accumulated to one hundred thirty-two (132) days. These days may be used for any absence due to personal illness of the professional employee. Employees with more than 132 cumulative sick leave days prior to the start of the 2011-2012 school year will be allowed to use their total sick days as the basis for determining the maximum allowable upon retirement.
6. If there should be a question as to the illness, the Superintendent/Designee shall have the right to ask for a physician's written statement for a confirmation of illness.
7. Sick Leave Bank

The purpose of the sick leave bank is to assist professional employees in the event sick leave is needed due to emergencies and/or serious health issues of self or immediate family members. The intent of the sick leave bank is not for day-to-day illness of self or immediate family members and is not to be used on a recurring basis.

During the first week of the 1st quarter and 4th quarter of the school year, each professional employee who wishes to participate shall contribute a minimum of one (1) and not more than three (3) days of sick leave allowance to the Sick Leave Bank. Contributions must be in full day increments for full-time professional employees and will be pro-rated at the part-time professional employee's FTE. Only professional employees who contribute shall be eligible to participate in the Sick Leave Bank for two (2) full calendar years from the date of their donation.

Upon request, the District will make available a copy of those professional employees participating in the Sick Leave Bank, the number of days each submitted, the expiration of their participation in the Sick Leave Bank, and the total number of days in the Sick Leave Bank.

The Sick Leave Bank will be administered by a committee of two (2) persons; one Administrator and one professional employee. The professional employees and the District shall name a representative from outside the school community to the committee, with the two (2) representatives selecting the third member from outside the school community in the event the committee of two (2) cannot agree on the number of days the professional employee is eligible to use.

Eligible professional employees who have exhausted their accumulated sick leave may petition the committee for additional sick leave days from the Sick Leave Bank, provided there are a sufficient number of days in it. The petition must be supported by a statement from the attending physician. In no case will a professional employee be paid sick leave for more than the number of working days needed to qualify for long-term disability. Should the number of days in the Sick Leave Bank become less than the number of eligible professional employees involved in the Sick Leave Bank, the Administration may agree to open an additional donation window.

D. Disability Leave

1. Disability leave shall be requested of the Superintendent/Designee by the professional employee. It shall be the professional employee's obligation, supported by his/her physician's written certification, to inform the Superintendent/Designee when he/she will be unable to perform his/her contractual duties. The length of disability leave shall be based upon a written recommendation of his/her physician. A professional employee on disability leave shall be allowed to use accumulated sick leave during this period.

In the event a professional employee fails to return to work when the physician states he/she is able to perform his/her job duties, he/she shall relinquish all further employment rights as outlined in this handbook.

- ~~2. A leave of absence without pay may be granted for child rearing, provided that a professional employee has been offered a full-time contract for the fourth (4th) consecutive year of teaching in the District and has a child less than one (1) year of age at the commencement of leave.~~
 - ~~a. Written requests for child rearing leave of absence shall be made to the Superintendent/ Designee as soon as possible, but at least ninety (90) days prior to the commencement of the leave.~~
 - ~~b. The Superintendent/Designee may grant such leave without pay if a suitable replacement can be found.~~
 - e. A professional employee receiving this **disability** leave will be allowed no more than ~~24~~ **12** months of leave. The professional employee will be considered for future job openings. **If the employee is not able to return to work after 12 months, the employment with SDR will end and he/she is able to apply for future job openings.**
 - ~~d. The professional employee shall retain all accrued benefits as determined at the time such leave was granted should he/she be re-employed after returning from their child rearing leave.~~

~~e. Child rearing leave will begin at the beginning of the fall school term. Exceptions must receive approval of the Superintendent/Designee.~~

f. Life, health, and dental insurance benefits will be available to the professional employee while on leave at no cost to the District. **The employee will be offered COBRA when FMLA is exhausted.**

E. Funeral Leave

1. Up to ten (10) days of funeral leave will be granted professional employees upon the death of the following: Spouse, parents, sibling, child, grandchild, or grandparent.
2. Up to three (3) days of funeral leave will be granted to professional employees upon the death of a close friend or relative.
3. Funeral leave shall be deducted from sick leave.
4. Use of additional leave may be granted by the Superintendent.

F. Sabbatical Leave

1. A professional employee employed in the system for the equivalent of five (5) years may apply to the Superintendent/Designee for sabbatical leave. At least six (6) months prior to the start of the sabbatical, the professional employee shall file a written application stating the purpose of the sabbatical. Within thirty (30) days of application, he/she will be notified of the acceptance or refusal. The Board may grant sabbatical leave up to a maximum of two (2) employees if so requested and fulfillment of criteria in number 3 below is met.
2. Sabbatical leave without pay shall be defined as leave not to exceed two (2) semesters to be used for professional research and study. Pre-agreed upon fringe benefits will remain in effect during the period of the sabbatical. Upon completion of this leave, the professional employee will be allowed to return to a position as determined by Administration. The professional employee agrees to remain in the system for the equivalent of three (3) years after returning from the sabbatical.
3. Those granted sabbatical will be chosen by the Superintendent/Designee and approved by the Board. Suggested criteria for selection might be, though not limited to, the merit of the objectives of the sabbatical, an interview with the applicant, reasonable distribution of leaves in the system, previous leaves, and system needs.
4. The form and degree of penalty for failure to return to the school system for the three (3) year period under the provision of 'Sabbatical Leave' shall be repayment of all fringe benefit costs for the year of the sabbatical leave to the District by the professional employee. If no fringe benefit costs were incurred by the District, the professional employee will owe the District \$3,000.00 for each year less than their three year minimum requirement or a maximum penalty of \$9,000.00.

G. Jury Duty Leave

1. Professional Employees who are called for jury duty shall notify their immediate supervisor immediately. The immediate supervisor may request the professional employee's release from jury duty due to a hardship to the District.
2. Professional Employees who do serve on jury duty shall receive full salary during the period of absence.
3. The Employee who does serve shall remit to the Board the compensation paid them for such jury duty service, or authorize an adjustment equal to such compensation, and attach a summons to the absence request form or payroll adjustment form.

H. Military Leave

1. Upon request, the District shall grant a military leave of absence for mandatory annual duty for training not to exceed ten (10) school days, provided such duty is performed with the assigned unit.
2. Periods of military leave for mandatory service will be allowed upon request in addition to leave for annual duty for training, provided such duty is performed with the assigned unit.
3. Upon submission of a copy of the order to active duty and a copy of the pay voucher, such professional employee shall receive the difference between the military pay, exclusive of any reimbursement for expenses other than base salary, and his/her regular school per diem rate for up to ten (10) days.
4. Military leave will be granted to a professional employee who enlists for not more than four (4) years or who is inducted in any branch of the armed forces for the United States. Upon return from such leave, the professional employee will be placed

in a position as soon as one becomes available and on the salary schedule at the level he/she would have achieved had he/she been employed in the District during the period of his/her compulsory absence. A voluntary extension of the duty period beyond that which is required by law negates all aspects of this provision.

5. For periods of military leave for mandatory service, there shall be no loss of benefits for the first ten (10) days.

I. Volunteer Fire Fighter, Emergency Medical Technician, First Responder, or Ambulance Driver

A staff member who is a volunteer fire fighter, emergency medical technician, first responder, or ambulance driver for a volunteer fire department or fire company, a public agency, or a nonprofit corporation may be late for or absent from work without pay if the lateness or absence is due to the staff member responding to an emergency that begins before the staff member is required to report to work and if the staff member complies with all of the following requirements:

By no later than thirty (30) days after becoming a member of a volunteer fire department or fire company, or becoming affiliated with an ambulance service provider, a staff member submits a written statement to the District, signed by the chief of the volunteer fire department or fire company or by the person in charge of the ambulance service provider notifying the District that the staff member is a volunteer fire fighter, emergency medical technician, first responder, or ambulance driver for a volunteer fire department or fire company, a public agency, or a nonprofit corporation;

When dispatched to an emergency, a staff member makes every effort to notify the District that he/she may be late for or absent from work due to responding to an emergency or, if prior notification cannot be made due to the extreme circumstances of the emergency or the inability of the staff member to contact the District, submits to the District a written statement from the chief of the volunteer fire department or fire company or from the person in charge of the ambulance service provider explaining why prior notification could not be made; and,

When late for or absent from work due to responding to an emergency, on the request of the District, the staff member provides written statement from the chief of the volunteer fire department or fire company or by the person in charge of the ambulance service provider certifying that the staff member was responding to an emergency at the time of the lateness or absence and indicating the date and time of the response to the emergency.

When the status of a staff member, as a member of a volunteer fire department or fire company, or as an affiliate of an ambulance services provider changes, including termination of that status, the staff member shall notify the District of that change in status.

J. Organ Donor Leave

A staff member may take up to six (6) weeks of leave in a twelve (12) month period as necessary to undergo bone marrow or organ donation procedure and to recover from that procedure. The staff member may be required to provide written medical certification that she/he will serve as a donor and the amount of leave time that may be necessary.

Leave taken for this purpose is unpaid; however, a staff member is eligible to substitute available accrued paid leave for all or some of the leave taken under this policy. The staff member must provide as much advance notice as possible so as not to unduly disrupt the District's operations. The staff member will be returned to the same position upon return or if that position is no longer available, an equivalent position and he/she shall not lose any benefits during leave, including the right to continue health insurance coverage as provided for in the District's Policy 3430.01, Family & Medical Leave of Absence (FMLA).

~~K. Leave of Absence~~

~~A leave of absence without pay for a period of up to one (1) year may be granted, provided that the Employee has been offered a contract for the eleventh (11th) consecutive year of professional service in the District, and a suitable replacement can be found.~~

~~1. Written requests for leave of absence shall be made to the Superintendent/Designee as soon as possible, but at least ninety (90) days prior to the commencement of the leave.~~

~~2. If it is determined that a suitable replacement can be found, the Superintendent/Designee will grant such leave without pay.~~

~~3. Upon returning to the system and immediately following expiration of leave, the Employee shall retain all accrued benefits, excluding credit for the year on leave.~~

~~4. As soon as possible upon return from such leave, the professional employee shall be provided a position that becomes available and for which he/she is certified. Leave will begin and end at the beginning of the fall school term. Exceptions must receive approval of the Superintendent/ Designee.~~

~~5. Approved leaves shall be limited to one (1) Employee overall.~~

While on a leave of absence, life, health, and dental insurance benefits will be available to the Employee at the Employee's expense.

Emergency Leave

- 1st Paragraph) Changed to clarify that emergency leave will be deducted from the employee's sick leave
- (A. 3.) Deleted since this language is part of the Family and Medical Leave Act (FMLA) and does not need to be included in the handbook since the district follows the FMLA requirements

Disability Leave

- (a., b., d., and e.) Language deleted since it is part of FMLA requirements, which the district follows when a staff member is on leave for disability.
- (2. c.) Clarifies that the statement refers to disability leave and changes the number of months that an employee is allowed for disability leave - from 24 months to 12 months. (NOTE: The district is under no obligation to hold a position for 24 months. Since it is hard to replace an employee for a long period of time, the change to 12 months of disability leave is recommended.)
- (2. f.) Clarifying that while an employee is on disability leave, COBRA will be offered when FMLA is exhausted

Leave of Absence

- This section has been deleted. It is difficult to keep professional staff positions open for long periods of time and to find suitable replacements on a long-term basis. Staff will have life, health and dental insurance benefits available at their expense while they are on extended leave.

The changes to the handbooks as stated were recommended for Board approval by the Committee. The changes follow processes currently provided to professional employees and follow all FMLA requirements.

Changes to Support Staff Handbook - Disability Leave

The Committee recommended Board approval of changes to disability leave section of the support staff handbook. The title of this section was changed to eliminate reference to a qualifying period. The language changes reflect that the period of coverage for a support staff member on disability leave will be no more than 12 months. If the employee is unable to return to work after 12 months, he/she will no longer be employed by the district but will be able to apply for future positions. The district is under no obligation to hold a support staff position. Since it is hard to replace an employee for a long period of time, 12 months of disability leave is recommended. It was also recommended that the language changes to indicate that the employee will be responsible for insurance benefit costs.

The new language reads as follows:

A support employee receiving disability leave will be allowed no more than twelve (12) months of leave. If the employee is not able to return to work after twelve (12) months, employment with the district will end, but he/she will be able to apply for future job openings. Life, health, and dental insurance benefits will be available to the employee while on leave at no cost to the District. The employee will be offered COBRA when family medical leave (FMLA) has been exhausted.

2019-2020 School Year Calendar

The Committee recommended approval of the proposed 2019-20 school year calendar. If approved by the Board, all staff would start school on Monday, August 26, 2019, with all students attending their first day on Tuesday, September 3, 2019. The school year would end for senior (grade 12) students on Friday, May 29, 2020, with graduation scheduled for Sunday, May 31st. All other students would have their last day on Thursday, June 4, 2020; with June 5th being the last day for those professional staff under the 188-day contract. Summer school would be held June 8 through July 3, 2020.

Adjournment

The meeting adjourned at 5:25 p.m.