



Board Policy: #4161
Section: Personnel
Adopted: 11/16/2021
Revised: None

LEAVES

Sick and Personal Leave:

It is the policy of Blue Oak Charter Council to offer Blue Oak Charter School's regular, salaried, exempt employees paid sick/personal leave at the rate of ten (10) days per BOCS year. Sick/Personal leave carries over from year to year and Blue Oak Charter School does not pay employees in lieu of unused sick leave.

Blue Oak Charter School's part-time classified non-exempt employees will accrue one hour of paid sick leave for every 30 hours worked. BOCS full-time classified employees will be front loaded with leave according to the hours per week worked. Paid sick leave will carry over from year to year for both part-time and full-time employees. (Lab. Code § 246.5, subd. (a).

Industrial Injury Leave (Worker's Compensation):

Blue Oak Charter School, in accordance with state law, provides insurance coverage for employees in case of work-related injuries. The workers' compensation benefits provided to injured employees may include:

- Medical care;
- Cash benefits, tax-free to replace lost wages; and
- Vocational rehabilitation to help qualified injured employees return to suitable employment.

To ensure employees receive any worker's compensation benefits to which they may be entitled, they will need to:

- Immediately report any work-related injury to the Executive Director;
- Seek medical treatment and follow-up care if required;
- Complete a written Employee's Claim Form (DWC Form 1) and return it to the Executive Director.

Family Leave:

Blue Oak complies with the federal Family and Medical Leave Act ("FMLA") and the California Family Rights Act ("CFRA"), which requires each eligible employee be permitted to take FMLA leave: 1) to care for a newborn, newly adopted, or fostered child, 2) due to the employee's own serious illness, 3) to care for a spouse, domestic partner, child, or parent with a serious health condition or military service-related injury 4) for any "qualifying exigency" because the



employee is the spouse, son, daughter, or parent of an individual on active military duty, or an individual notified of an impending call or order to active duty in the Armed Forces.

Employee Eligibility Criteria:

To be eligible for FMLA leave, the employee must have been employed by the school for the last 12 months and must have worked at least 1,250 hours during the 12-month period immediately preceding the commencement of FMLA leave.

FMLA Health Benefits:

BOS shall provide continued health insurance coverage while an employee is on a leave consistent with applicable law. The continuation of health benefits is for a maximum of four (4) months in a 12-month period. BOCS can recover premiums that it already paid on behalf of an employee if both of the following conditions are met:

1. The employee fails to return from leave after the designated leave period expires.
2. The employee's failure to return from leave is for a reason other than the following:
 - The employee is taking CFRA leave
 - The continuation, recurrence or onset of a health condition entitles the employee to CFRA leave or other circumstances beyond the employee's control.

An employee on pregnancy disability leave remains an employee of BOCS and a leave will not constitute a break in service. When an employee returns from pregnancy disability leave, they will return with the same seniority they had when the leave commenced.

For purposes of this policy, all leave taken under FMLA or CFRA will be referred to as "FMLA leave."

Unpaid Leave:

The Blue Oak Charter Council recognizes that special situations may arise where an employee must leave temporarily.



Regular employees may request, subject to the sole discretionary approval of the Blue Oak Charter Council, an unpaid leave of absence without pay or employment benefits for a period not to exceed three (3) months. Requests for a leave of absence should be submitted in writing to the Executive Director as far in advance of the anticipated date as possible. The leave request must be dated, signed by the employee, and state the reasons, circumstances, duration, and location of the employee during the leave.

The granting of an unpaid leave of absence always presumes the employee will return to active work by a designated date or within a specific period. Upon expiration of a leave of absence, the employee may be reinstated in the position held, or an equivalent one, at the time the leave was granted if such a position is available. An employee who fails to report promptly for work at the expiration of a leave of absence, or who applies for and receives unemployment insurance while on leave, will be considered to have voluntarily resigned.

Jury Duty Leave:

The Blue Oak Charter Council will permit Blue Oak Charter School to provide employees time off to serve as required by law, on a jury or grand jury if the employee provides reasonable advance notice.

Bereavement Leave:

It is the policy of the Blue Oak Charter Council that whenever a Blue Oak Charter School regular employee believes it necessary to be absent from duty because of the death of a member of the employee's immediate family, the employee may request permission from the Executive Director to be absent for not more than five days and will be considered personal leave for each occasion.

In the case of the deaths of individuals other than those defined as "immediate family" who were living in the employee's household as family members, approval for the use of bereavement leave shall be on a case-by-case basis at the sole discretion of the Executive Director.