

## MEMORANDUM OF UNDERSTANDING

*Effective July 1, 2012 through June 30, 2014*

The District and the OSEA have agreed the following Article 12 Personal Time Off language will replace Article 12 Emergency and Personal Business Leave language in its entirety for the duration of the current contract.

### OSEA Agreement

#### *Article 12*

#### Personal Time Off (PTO)

- A. A total of four (4) days, non accumulative per year at regular pay will be allowed for personal business without application or explanation.

#### Guidelines for the appropriate use of PTO:

- Bereavement of an immediate family member
  - Illness/injury of members of the immediate family where death is a distinct possibility
  - Leave due to critical illness/injury of members of his/her immediate family where, in his/her absence the family member would be left alone if the employee reported to work
  - Religious holidays
  - Crises other than sickness or death
  - Personal business that cannot be conducted outside of the workday
1. Personal time off days will not be used to extend winter and spring breaks, holiday weekends, holiday periods or vacation, nor can they be used on the first and last days of the contract year or the first and last student contact days of the year.
  2. For exceptions to the days listed in section one above, taking personal time off for extenuating circumstances will be considered upon request made to the principal or supervisor.
- B. Application for Personal Time Off Donation - When a bargaining unit member has used all available paid leave days and needs donated days due to critical illness or injury, the following procedure will be implemented:
1. The bargaining unit member will notify the Association of the need for donated days. This program will not begin until initiated by the bargaining unit member, and will not interfere with member's extended sick leave entitlement if the member chooses not to participate.
  2. The Association will notify the Administrator of Classified Personnel of the

request.

3. The Association will solicit days from the bargaining unit.
4. Payroll will process the days as instructed by the District after receiving the information from the OSEA President.

C. Guidelines for Personal Time Off Donations - In consideration of the extenuating circumstances surrounding the present needs of said individual, donation of personal days from OSEA members will be approved with the following understandings, conditions and limitations:


1. All contributions of personal time off are irrevocable.
2. All contributions to the bank are voluntary. The district shall be defended and held harmless from any claim arising from honoring the "pooling" in this matter.
3. Each association member who volunteers to donate a personal time off day must sign a waiver indicating they are forfeiting a personal time off day. Members can donate one personal time off day per year.
4. Association members from any building in the district may contribute to this bank.
5. The District is not responsible for any personal tax liability that may be incurred by the donating employee or said member should any liability arise.
6. The maximum number of days that may be collectively donated by association members (at a rate of one day per individual member) is 45 (or the number needed to get the employee to long term disability, whichever is less, minus accrued sick leave and extended sick leave benefit).
7. Collectively, if the association members donate more than the total number of days said employee is in need of, a random drawing will be conducted by OSEA to determine the members who will donate their personal time off. Association members whose names are not drawn will not donate days. Items 1 and 3 do not apply to members not selected to donate days.

D. Extension of Personal Time Off

1. General Provisions for Extension of Personal Time Off
  - a. A member must first exhaust his or her four personal time off days and other appropriate leave balances to be eligible for extended days. A maximum of five (5) extended days may be granted for bereavement or critical illness or a combination of both in a contract year. A member may make application for an extension in anticipation of the need.

- b. The request must be approved by the principal or supervisor and the Administrator for Classified Personnel.
  - c. Verification establishing the need for the leave must be presented to the principal or supervisor upon request.
  - d. In case the nature of the extension of personal time off makes this impossible, the statement shall be filed immediately upon return to school.
  - e. For purposes of extensions, the following definition of immediate family will apply: Immediate family shall mean spouse, domestic partner, children, grandchildren, parents, grandparents, brothers, sisters, parents of the spouse or domestic partner, and those in loco parentis to the employee or employee's spouse, or a member of the immediate household whose official residence is the same as that of the employee or for whom the employee is legally responsible.
2. Bereavement Leave: In case of deaths and funerals of immediate family members, extension of personal time off will be granted for a maximum of five (5) days. A maximum of two (2) days of extension of personal time off will be granted for funerals of persons other than members of the immediate family.
3. Family Illness/Injury
- a. In case of illness/injury of members of the immediate family where death is a distinct possibility, extension of personal time off will be granted for a maximum of five (5) days.
  - b. An employee requesting leave due to critical illness/injury of members of his/her immediate family where, in his/her absence the family member would be left alone if the employee reported to work, the District will allow two (2) days of extension of personal time off per illness/injury.

Sue Robertson      7.23.12  
Chief HR Officer      Date

      July/20/2012  
OSEA President      Date