

**2012**

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**LEAVE AT A GLANCE**

**SEIU Local 500/MCPS  
Joint Labor Management  
Collaboration**



ROCKVILLE, MD

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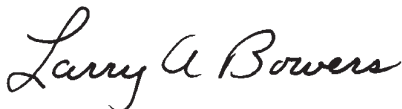
September 2012

Dear Montgomery County Public Schools Supporting Services Employees:

Montgomery County Public Schools and the Service Employees International Union (SEIU) Local 500 have collaborated to develop a "Leave At A Glance" guide for supporting services employees. This guide provides information about sick, annual, personal, and bereavement leave and includes examples to explain the benefits of saving sick and annual leave. The guide also contains information about the sick leave bank as well as information about what employees should do if they are injured on the job. In addition, a frequently asked questions section is provided.

We hope you will take time to read this document and learn more about your leave benefits. It has been developed as a guide so that you can periodically refer to the document when you have questions. If you have questions that are not answered in the document, please call the Employee and Retiree Service Center at 301-517-8100 or SEIU Local 500 at 301-740-7100.

Sincerely,



Larry A. Bowers  
Chief Operating Officer



Merle Cuttitta  
President, SEIU Local 500

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## BENEFITS TO SAVING SICK LEAVE

**KEY UNDERSTANDING: If it is a sick leave event, all staff is expected to not use another form of leave.**

**Accumulation of Sick Leave**—Unused sick leave is accumulated on an unlimited basis. Unused personal leave shall be added annually to the unused sick leave account.

**Disposition of Accumulated Sick Leave at Termination of Service**—At the time of an employee’s termination after five years of MCPS service, any employee who has performed his/her duties satisfactorily shall receive termination pay at his/her current salary rate for one fourth of his/her accumulated sick leave. After an employee has completed 30 years of MCPS service, the termination pay shall be for 30 percent of the accumulated sick leave.

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### EXAMPLE

- A 12-month, 40 hour/week employee receives 12 days of sick leave per year
- If you saved 5 days of the 12 per year, that equals 40 hours per year
- If you work 20 years x 40 hours, that equals 800 hours
- 800 hours x \$17.00 (example of your hourly rate at leaving), that would equal \$13,600, divided by one fourth would equal a \$3,400 payout to you.
- This acts like a small savings account for you.
- PLUS!! These hours add to your pension upon retirement. Every 22 days of sick leave you have at retirement increases your pension as if you had worked for another month. This means a higher pension for the rest of your life.

### Additional Benefit Available Each Year

Each school year, MCPS shall recognize any supporting services employee who worked the entire preceding school year without utilizing any sick leave benefits. The employee may apply for and receive a cash-out payment for up to one third of the employee’s earned sick leave benefit for that year.

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### EXAMPLE

- You have saved 50 hours of sick leave, your salary is \$17 per hour, you make perfect attendance which allows you to cash out up to one third of that earned sick leave for that year.
- 50 hours x \$17.00 per hour equals \$850 divided by one third equals \$283.33 cash to you.
- Please keep in mind, cashing out the leave in this way reduces what will be available to increase your pension at retirement.

### Leave Without Pay, Personal Illness, or Family Illness

The Employee and Retiree Service Center may grant a leave of absence without pay to a supporting services employee when that employee or a member of his/her immediate family is ill. The leave shall be for definite periods, such as a semester or school year, and shall not exceed one year.

The leave without pay begins when the unit member has exhausted all available sick leave and sick leave bank options. Leave approved and verified with a doctor’s certification on an FMLA leave request form, in accordance with the *Family and Medical Leave Act*, **may be taken for up to 12 weeks**. Applications for leave must be submitted in writing to the appropriate supervisor or official and forwarded with his/her recommendation to the Leave Administration Team in the Employee and Retiree Service Center for approval.

Taking leave without pay has an effect on your medical benefits—be sure to understand the impact prior to making the decision to take leave without pay.

**SEIU LOCAL 500 AND MCPS have a shared interest in minimizing the amount of sick leave utilized. Excessive sick leave utilization creates excessive burdens on co-workers, harms employee productivity, and creates additional economic demand on the school system.**

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## BENEFITS TO SAVING ANNUAL LEAVE

**KEY UNDERSTANDING: A minimum of one week advance notice must be provided by an employee when requesting three or more consecutive days of annual leave.**

### Annual Leave

Annual leave is paid leave that is granted to each 12-month unit member.

**Eligibility for Annual Leave**—The provisions of annual leave shall apply only to those supporting services employees whose assigned responsibility is of 12 months' duration. Twelve-month employees on permanent status will be advanced annual leave at the beginning of each fiscal year. Twelve-month probationary employees will be advanced annual leave upon attainment of permanent status. Twelve-month employees whose assignment is less than 40 hours per week accrue annual leave in proportion to the hours of assignment and according to the number of years of MCPS service, as established for 12-month employees whose assignment is a 40-hour week. So, a day of annual leave for an employee who works 4 hours a day is 4 hours.

**Method of Computing Annual Leave**—All newly hired 12-month supporting services employees and all currently employed 10-month unit members upon appointment to a 12-month position shall earn annual leave as follows:

- 0–3 years of MCPS service—15 days
- 4–15 years of MCPS service—20 days
- 16+ years of MCPS service—26 days

### Restriction on Time for Use of Annual Leave

a. Supporting services employees will take their annual leave at times when such leave will not adversely affect the ongoing instructional/operational program. The administrator/supervisor, in collaboration with affected employees, will provide a written notice for anticipated critical staff coverage and suggested time periods for leave usage. Reasonable opportunity for use of annual leave must be allowed. Supervisors should be aware that such events may require payment of overtime if an employee's hours exceed 8 hours in a day or 40 hours in a week.

b. A supporting services employee must provide a minimum of one week advance notice when requesting three or more consecutive days of annual leave. Leave may be granted with less notice at the discretion of the administrator. When operational and scheduling circumstances may lead to potential constraints on the approval of leave requests, administrators/supervisors will notify employees of the situation in a timely manner.

### Accumulation of Annual Leave

- a. For any one year, a 12-month supporting services employee may carry forward up to, but not exceeding, 10 days of annual leave earned from the previous year.
- b. The maximum number of days of annual leave available at any one time will be the balance brought forward up to a maximum of 20 days, plus the amount to be earned for the current school year.
- c. Each year, annual leave that is not used or forwarded shall be automatically transferred to a unit member's accumulated sick leave.

### Disposition of Accumulated Annual Leave at Termination of Service

—All annual leave should be used before the effective date of employment termination, or a lump sum settlement shall be made at the current salary rate, but not to exceed a maximum of 40 days.

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### EXAMPLE

40 days x 8 hours per day equals 320 hours x \$17.00 per hour equals \$5,440.00 cash to you in addition to your retirement.

\*Annual leave does not increase your pension benefit like sick leave does.

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**PERSONAL LEAVE**

**KEY UNDERSTANDING: A written request for the absence shall be submitted to the appropriate official at least one day prior to the absence.**

**Personal Leave**

All supporting services employees may be granted up to four days per year for personal leave. **A written request for the intended absence shall be submitted to the principal or appropriate official at least one day prior to the expected absence.** No specific reason for such personal leave shall be required or solicited. Personal leave, if granted, must be used only to conduct personal business of a nature that cannot be scheduled on any non-duty day. Personal leave will be granted only when the immediate supervisor determines that adequate provisions for continuing the instructional/operational program can be made. In cases of emergency, the appropriate official shall be notified prior to the start of the duty day to be taken off.

**The rules regarding personal leave shall be as follows:**

- a. Requests for personal leave shall be made in writing.
- b. Leave immediately before or after a holiday, vacation, or staff development day may be requested for reason from the school principal or appropriate official.
- c. Up to two personal leave days may be carried over from year to year, i.e., personal leave may accrue to a maximum of 6 days. The remainder of unused personal leave shall be transferred to accumulated sick leave at the end of the school year.

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**BEREAVEMENT LEAVE**

**Leave for Family Bereavement**

**A unit member shall be allowed a maximum of five days of absence without loss of salary upon the death of a child, parent (natural, foster, step, or in-law), brother, sister, husband, wife, or of anyone who lives regularly in his/her household.** A supporting services employee shall be allowed a *maximum of two duty days of absence without loss of salary upon the death of a brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, grandchild, spouse's grandparent, or an individual for whom the unit member held durable medical or personal representative power of attorney at the time of death.* In the event of unusual travel or personal obligations in connection with the use of bereavement leave, additional leave days may be granted by the Leave Administration

Team in the Employee and Retiree Service Center. With approval from the Leave Administration Team, one or more of the allowed days may be used at a time that is not immediately proximate to the date of death for a burial or memorial service that occurs at a later date. Leave for family bereavement is not available for business purposes such as estate management or will review.

**ARTICLE 12 OF THE SEIU LOCAL 500 MCPS Contract contains the complete language for all leave; these are just the most common types of leave requested by employees.**

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## WHAT TO DO IF YOU ARE INJURED ON THE JOB

1. When an MCPS employee is injured at work, the employee must inform his/her supervisor immediately, who will then contact CorVel Corporation—the MCPS claims administrator.
2. At MCPS, an employee eligible for Workers' Compensation can choose to utilize a physician from the MCPS list of preferred providers for medical care and may receive Workers' Compensation leave at 100 percent of his/her average weekly wages up to one year. If the employee elects to be treated by a physician who is outside the network of preferred providers, the employee will receive the state-mandated 66 and 2/3 percent wages and may supplement that amount with his/her own leave (subject to availability).
3. If an employee will need time away from work, the employee will be required to submit two forms, MCPS Form 430-1: *Leave Request*, along with MCPS Form 440-35: *Certification of Physician or Health Care Provider*, to his/her supervisor.
4. Until your claim is approved by CorVel Corporation, you will be charged with using your own leave. Once you have an approved Workers' Compensation claim, your leave will be credited back to you.
5. An employee who is injured on the job will receive a letter with additional information from MCPS and will receive additional information from CorVel Corporation.
6. The employee must continue submitting Leave Request and Certification of Physician or Health Care Provider forms until he/she is cleared to return to work. The determination of when an employee is able to return to work may take an unpredictable length of time, based primarily upon the extent of the employee's injuries, and the requirements of his/her position with MCPS.

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### FREQUENTLY ASKED QUESTIONS

#### How do I know if my doctor is in the CorVel PPO Workers' Compensation network?

GO TO: <http://www.mcsip.org/>

\*Search for All Other Workers' Compensation Providers  
or

Call 1-800-234-5003

#### Where do I find MCPS forms?

- Certification of Physician or Health Care Provider—**MCPS Form 440-35**
- Leave Request—**MCPS Form 430-1**
- Return to Work Evaluation—**MCPS Form 440-40**

GO TO: <http://www.montgomeryschoolsmd.org/>

\*Type the form number in the search field or forms can be found at your school/work location or at the Employee Retiree Service Center.

#### What if my health provider gives me a prescription for my work-related injury?

You can get your first prescription filled with no out-of-pocket expense at a pharmacy that participates with **CorCareRX**.

GO TO: <http://www.mcsip.org/>

\*Click on CorCareRX

or

Call 1-800-563-8438

#### What if I have questions about my Workers' Compensation claim?

Questions can be answered by the MCPS Claims Services CorVel (1-800-234-5003) or the Leave Administration Unit within the Employee and Retiree Service Center (301-517-8100).

#### Can I apply for Sick Leave Bank benefits while I have an open Workers' Compensation claim?

The Sick Leave Bank will not grant time to an employee who is granted full Workers' Compensation benefits; or in the case of an employee who has not used a physician from the approved network of providers; the Sick Leave Bank will not grant leave to an employee who is granted the 2/3 benefit.

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## MCPS/SEIU LOCAL 500 SICK LEAVE BANK

### Intermittent Leave Guidelines

In order to use the Sick Leave Bank for intermittent days, please abide by the following guidelines:

- a. The Leave Request (Form 430-1) must be signed by the employee and the supervisor/principal indicating the entire date range of absence in the expected dates of leave section. Please write the word “intermittent” above date range.
- b. An exact schedule of intermittent dates on official doctor letterhead or preprinted medical form must be provided. Writing the dates of leave on a piece of paper is not acceptable.
  - Example—Chemotherapy every Friday for 10 weeks, 1/13/12 through 3/16/12, etc.
- c. A memorandum or letter from your supervisor stating the intermittent schedule can be accommodated and will not disrupt the employer’s operation.
- d. Intermittent absences are usually not approved if they are more than 20 percent of the employee weekly work schedule.

For any questions on intermittent leave, please contact ERSC at 301-517-8100.

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### FREQUENTLY ASKED QUESTIONS

#### What is the Sick Leave Bank?

The purpose of the Sick Leave Bank is to provide continued sick leave pay benefits to members of the Bank for qualifying, personal illness that is incapacitating to the point where one cannot perform his/her duties during regularly scheduled duty days.

#### How do I become a member of the Sick Leave Bank?

All new employees are enrolled automatically in the Sick Leave Bank, unless you choose to “opt out.” You have 30 days from your date of hire to make this choice. New employees contribute a one-time donation of 2 days, then 1 day per year thereafter. Permanent employees who do not currently belong to the Sick Leave Bank need to complete a donation form authorizing a one-time donation of 2 days, then 1 day per year thereafter.

#### Why should I join the Sick Leave Bank?

The Sick Leave Bank is added protection for continuous income in the event of serious personal illness.

#### Once I join the Sick Leave Bank, when am I eligible to receive Sick Leave Bank Benefits?

New employees are eligible one year from their date of hire and permanent employees are eligible six months from the date the donation form (authorizing the 2-day donation) is received by SEIU Local 500.

#### How do I apply for a grant?

Members must contact SEIU Local 500 at 301-740-7100 for the necessary paperwork.

#### How often must I donate additional leave?

Annual contributions are made on July 1st for the upcoming school year. A member may discontinue membership in the Bank at any time, but contributed days will not be returned.

#### Who decides if my grant request is approved?

A joint committee of SEIU and MCPS representatives meets every two weeks to review all applications.

#### How long will it take to receive benefits if my grant is approved?

Once grants are approved, the procedure takes one additional pay period to process and then will be paid as part of the normal payroll on the published pay dates.

All Sick Leave Bank forms are available at SEIU Local 500, 901 Russell Avenue, Suite 300, Gaithersburg, MD 20879.

#### How do I calculate when my last day of paid sick leave will be?

Take the total available hours that are on your ePaystub—divided by your FTE (how many hours a day you work)—this will give you the total number of days that you have to use before you can receive benefits from the Sick Leave Bank. Count the number of full work duty days; this will give the effective date on which your grant will begin. If you need assistance calculating your sick leave, contact the timekeeper at your work location.

\*\*All accumulated sick leave must be used before any time from the Sick Leave Bank will be granted. The first two days after your paid sick leave has ended will not be covered by the Sick Leave Bank. Other forms of leave can be used for those two days or you will have to go without pay.

#### If I have already used all of my accumulated sick leave, where can I find the last date of my paid sick leave?

That information can be found on your ePaystub or contact the timekeeper at your work location.



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