

## SUGAR VALLEY RURAL CHARTER SCHOOL

POLICY NUMBER: 539  
SECTION: EMPLOYEES  
TITLE: **UNCOMPENSATED LEAVE – HOURLY EMPLOYEE**  
DATE ADOPTED: NOVEMBER 2003  
DATE LAST REVISED: APRIL 2009

### **UNCOMPENSATED LEAVE**

#### PURPOSE

In an effort to recognize the need of Sugar Valley Rural Charter School staff who fail to qualify for an FMLA leave due to the hours needed to qualify for FMLA leave, this policy is established. The board of Trustees may grant a leave of absence without pay for up to eight (8) workweeks in a twelve (12) month period.

#### AUTHORITY

The Board may grant leave to staff who do not qualify for FMLA leave.

The Board reserves the right to specify the conditions under which uncompensated leave may be taken.

#### GUIDELINES

Any staff actively employed by Sugar Valley Rural Charter School for a minimum of 90 school days may be eligible to be granted unpaid leave of absence.

Requests for unpaid leave may be denied or granted by the Board for any reason or no reason and are within the sole discretion of the Board.

The approval of the CEO is required.

Employees are not eligible under this policy if they are covered under the FMLA policy.

Under this policy, a twelve (12) month period is a rolling twelve (12) month period. This period is calculated by measuring back from the start date of the leave that is requested under this policy; each time leave is taken, the amount of leave available equals the difference between any leave already used in the immediately preceding twelve (12) months and the full allotment of eight (8) workweeks.

Under this policy, a workweek is defined as the actual number of hours an employee usually works in a week, or in an average week for schedule variations.

Employees may request one (1) or more leaves in a year, however the total amount of leave taken cannot exceed eight (8) workweeks in any twelve (12) month period.

In most cases, an employee returning from leave will be returned to the position previously held prior to the leave. If it was necessary to fill or eliminate that position during the approved leave of the employee, an equivalent position will be sought for that employee prior to his/her return to work. An employee taking leave is not entitled to any greater right to reinstatement or other benefits than if continuously employed during the leave period.

An employee is required to return from an unpaid leave on the originally scheduled return date. If the employee is unable to return, he/she may request an extension of the leave in writing prior to the scheduled return date. The Board may or may not approve the leave extension. If the Board does not extend the leave request, the employee must return to work on the scheduled return date or be considered to have voluntarily resigned from his/her employment.

#### Application

Requests for uncompensated leave shall be made to the CEO in advance of the requested beginning date.

Special consideration will be given to emergencies.

All requests are subject to final approval by the Board.

No benefits are provided nor will benefits accrue during this Board approved extended leave.

Extensions of leave will be considered on a case-by-case basis.

In making the determination the SVRCS Board will consider the following:

- Needs of the employee requesting the leave
- Workload
- Need for filling employee's job
- Chances of employee returning to duty
- The obligation of SVRCS to reinstate employee to a position of like status and pay