

LEAVE WITHOUT PAY

Employee’s Debilitating or Life-Threatening Illness or Injury

A leave of absence, without pay, may be granted to employees of the school division who have a debilitating or life-threatening illness or injury and who are not eligible for Family Medical Leave as described in Policy GCBE because they have not worked for the Division for 12 months or have not worked at least 1,250 hours according to the Fair Labor Standards Act, 29 U.S.C. § 201 et seq.

Employees with debilitating or life-threatening illness during their first year of employment with the division who are entitled to leave under this policy may take non-job protected leave in accordance with regulation GCBD-R Staff Leaves and Absences Regulations.

Other Work During Leave

Employees who are on unpaid leave pursuant to this policy or any other policy, except those on leave pursuant to the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) as outlined in Policy GCBE, may not engage in work for which they receive pay or any other type of remuneration without the prior written approval of the Superintendent or Superintendent’s designee.

Adopted: May 18, 2006
Amended: December 3, 2015
Amended: February 20, 2020

Legal Refs.: 29 C.F.R 825.216.
Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-296.

Cross Refs.: GCBD Staff Leaves and Absences
GCBE Family and Medical Leave
GCBEB Military Leave and Benefits
GCQA Nonschool Employment by Staff Members

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Employees must submit medical documentation of their need for leave. Whenever possible, documentation must be provided prior to leave being taken.

Prior approval of the Superintendent or designee must be obtained prior to leave being taken.

All rights under this policy expire at the end of the employee’s first year of service

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Commented [1]: Per 22.1-296

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Commented [3]: This is not in the model policy