The Rights Stuff

LEA FR Council

Thursday, November 18, 2010

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Regarding Two Issues of Recent Note

I. Pre-Arranged Leave:

The new (underlined) contract language for 2010-2012 regarding pre-arranged leave in **8-1 B. Eleven Day Annual Leave Plan (Option B)** states:

"(3) Annual leave may be used for prearranged days. In the event an employee wishes to prearrange an absence for any reason other than medical reasons, the days shall be available subject to availability of substitutes and shall be granted on a first come first served basis. No more than five (5) percent (fractions rounded up) of building level certificated staff needing a substitute may use prearranged days on a given day. Prearranged annual leave shall not be used for the first ten (10) nor the last fifteen (15) student contact days of the school year, or the day immediately before or after scheduled breaks. Human Resources shall have the authority to authorize use of prearranged annual leave for reasons other than illness during this period."

There appears to be confusion on some members' part that they *cannot be absent before/after a break unless they receive permission.* Such is **not** the case. Individuals are still able to call in using Option A or B leave the day of their intended absence before and after breaks and individuals on Option B do **not** need to cite the reason for their absence (unless it is a staff development/PLC/FLEX day). However, individuals who want to be guaranteed a substitute (especially a preferred substitute) need to prearrange their absence and give an explanation for their request to Human Resources in order to have prearranged leave approved. *For elementary teachers missing a plan day during which there is no substitute required and during which there are to be no mandatory meetings, there is absolutely no reason to pre-arrange one's leave unless that day is part of a series of consecutive days of absence*.

II. Closing of Schools and Teacher Compensation:

Recently (11/10) LPS released an e-mail to all staff explaining LPS procedures regarding school being closed due to inclement weather. Members who clicked on the link entitled "2010-2011 LPS Closure Procedures" saw the following chart regarding certificated staff:

DISTRICT CLOSURE DAY

Employee Group	Work Responsibility	Compensation
Office Professionals, Custodians, Administrators, MFD, All 260Day Employees and Technicians who do not work with students **Paraeducators and Technicians who work directly with students** **Nutrition Services** **Transportation**	Only emergency personnel will work. Emergency personnel are employees responsible for snow removal or employees otherwise designated as emergency personnel by their supervisor. All employees within the Maintenance Department (including office professionals and technicians) are considered emergency personnel and are expected to work.	Personnel will be paid as if worked, if the employee actually worked on the workday prior to or the workday after the district closure day.
Non-Administrative Certificated	Will not work.	

The "Compensation" language on the chart for "Non-Administrative Certificated" staff (members of the LEA Bargaining Unit) might be misinterpreted by members. Due to LEA's efforts at the last set of negotiations, new language in the *2010-2012 LEA-LPS Professional Agreement* in "5-5 Inclement Weather Days" reads: **"No absences will be charged against certificated employees on weather closure days."** Thus, all employees will continue to be paid as if they worked on a weather closing day and individuals on leave will **not** have their leave deducted for the day(s) school was closed. This has been clarified with the District and an HR representative has responded, "The language in the document… does not go the added step of excluding the teacher from the day-before-or-day-after rule. We will certainly follow the Agreement if we have closures."