

# ASPEN ACADEMY

*Adopted: December 20, 2011*

*Revised: May 20, 2014, Dec 2017*

*Reviewed: January 2024*

## **426 EMPLOYEE TIME OFF**

### **I. PURPOSE**

The purpose of this policy is to outline the parameters of employees' annual paid time off and unpaid time off. Aspen Academy follows the Earned Sick and Safe Time (ESST) law.

### **II. DEFINITIONS**

- A. Paid Time Off is time away from work for any reason, during which the employee accrues pay at the regular rate.
- B. Unpaid Time Off is time away from work during which the employee is not paid.
- C. Comp Time allows the employee to take additional time off, beyond what was contracted for, due to time worked beyond what was contracted for.
- D. Flex-time allows employees to schedule their regular working hours in a way that accommodates their personal preferences and family commitments.
- E. Additional Paid Time Off is a separate category of Paid Time Off, based upon compensatory time earned. It can be used by the employee as detailed in this policy but it cannot be cashed-out.
- F. Employees exempt from overtime compensation is determined by federal and state law. While those laws cannot fully be summarized here, in general at Aspen Academy employees exempt from overtime compensation will include salaried teachers, salaried managers of two or more employees, and salaried administrative staff who exercise independent judgment and discretion.
- G. Employees who are non-exempt from overtime compensation is determined by federal and state law. While those laws cannot fully be summarized here, in general at Aspen Academy employees non-exempt from overtime compensation will include hourly paid employees, paraprofessionals, and any employee who does not meet the criteria to be exempt from overtime compensation.

## **II. PAID TIME OFF**

- A. The school shall provide Paid Time Off to employees. It is up to the discretion of the Director to determine the amount of paid time off an employee shall receive on an annual basis depending on employment negotiations, years of employment with the school, whether the employee is full time or part time, and other factors.
- B. At the discretion of the Director or Aspen School Board, an employee may be granted additional Paid Time Off, beyond the terms of his or her contract, if the employee meets specific criteria outlined in the Aspen Academy Employee Handbook or by board action.
- C. If attendance at professional workshops or staff development is at the request of the school administration and approved by the Director, these hours shall not be counted against the employee's Paid Time Off.
- D. The Director may establish protocols for requesting Paid Time Off which shall be conveyed to staff in the Aspen Academy Employee handbook, at staff meetings, and/or by other documented means.
- E. Employees may use their Paid Time Off for any reason (e.g. medical, personal, family needs, etc.) and the reason for the request for time off shall not be a factor in granting or denying the time off as long as it meets all other criteria for Paid Time Off.
- F. Between June 1<sup>st</sup> and the end of the school year, employees may request that any unused Paid Time Off be carried over to the next school year. This request must be made in writing and the amount carried over may not exceed forty (40) hours.
- G. Between June 1<sup>st</sup> and the end of the school year, if any unused Paid Time Off remains for the returning or voluntarily non-returning employee after carrying over a maximum of forty (40) hours, the employee may request a cash-out payment for the unused time off at the rate of \$100 per day. This request must be made in writing no later than the last teacher duty day of the school year, and can only apply to hours exceeding the forty (40) hours carried over. In case of illness or changes in plans, the cash out payment may not be made to the employee until after the end of the school year.
- H. Any employee who voluntarily leaves before the end of the school year may request, in writing, within three days of last date of employment, that any pro-rated unused Paid Time Off above 40 hours be cashed-out at the above rate.

- I. Any hours not carried over, or requested as cash payout, in writing by the employee by the last teacher duty day, as defined by the Board-approved annual calendar, shall be forfeit or put in the “PTO Bank.”

### **III. UNPAID TIME OFF**

- A. After an employee’s PTO balance is depleted, an employee wishing to take time off may choose to request the time off as unpaid time off. It is at the discretion of the Director to grant the time off in accordance with building procedures as outlined in the Aspen Academy Employee Handbook. Employees exempt from overtime compensation may only take Unpaid Time Off in full day increments.
- B. An employee who has used all allotted paid time off, but requests additional time off, may be granted or denied the requested time off as unpaid, at the discretion of the Director.
- C. Employees requesting time off for an extended period of time should refer to policies governing leaves of absence. Pay for hours already worked may be extended/pro-rated over the leave of absence, but pay shall not be provided up front for hours not yet worked.

### **IV. COMP TIME**

- A. Comp time may be taken only with **prior** approval from the Director and must meet the following criteria:
  - 1) Extra time put in must be pre-approved by Director as something that will “bank” time. The activity must go beyond one’s job description as opposed to “staying late” to finish required job duties as part of being a salaried employee
  - 2) The time away from work does not require two teachers doubling up on supervisory duties (i.e. impact student-teacher ratios)
  - 3) Employees who are non-exempt from overtime compensation may not participate in Comp Time.
- B. Comp time may be used in increments as short as 30 minutes upon prior written approval by the Director.
- C. Additional Paid Time Off may be earned with prior Director approval. Additional hours of paid time off will be documented according to office procedure. (e.g. a teacher volunteering with a special task on the weekend may be given an additional day of Paid Time Off)

## **V. FLEX TIME**

- A. Employees are expected to work set school hours as communicated by the Director in the Employee Handbook. Understanding that there may be circumstances when employees have outside obligations or obstacles to those hours, the Director may allow employees to schedule their working hours in a manner to balance those needs. Before flex scheduling is approved by the Director, consideration shall be given to the employee member's assignment, job responsibilities, team and staff needs, and other criteria as needed in an effort to minimize the impact to programming, staff, and students.
- B. Flex-time, if approved, shall be re-evaluated at least annually. If it is determined to be interfering negatively with any of the above considerations, it may be re-evaluated sooner.

## **VI. JURY DUTY**

- A. Employees summoned to jury duty will be granted a leave with pay for the difference between their regular pay and all monies, minus travel allowance, paid to them for such service as verified by a court receipt up to a maximum of 5 days. Employees should notify their supervisor as soon as possible upon receiving a jury summons. If the employee's absence at that time would be detrimental to the operations of the school or to student learning, the employee may be requested to ask for a deferment of jury duty service to another time. Upon completion of jury duty, a receipt from the court verifying attendance at jury duty and amounts paid to the employee must be presented to Aspen Academy. Employees who are excused from jury duty for the day during their regularly scheduled hours should report to work as soon as it is practical to do so. Payment made to an employee during jury duty service shall not be deducted from the employee's Paid Time Off.

## **VII. DISSEMINATION**

- A. This information shall be conveyed to staff via the Aspen Academy Employee handbook, at staff meetings, and/or by other documented means.