

Staff Paid Time Off (PTO)

NOTE: While Colorado school districts are not required by law to adopt a policy on this subject, districts are required by law to provide paid sick leave. CASB believes this sample contains the content/language that best meets the intent of the law and reflects "best practices." However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

The Board recognizes that there may be times when an employee is unable to fulfill the duties of their position due to various circumstances. Therefore, paid time off is provided for full time employees in accordance with this policy.

Accrual and use

Paid time off (PTO) may be accumulated at the rate of six (6) days per year, maximum accumulation 30 days.

All full-time certified and classified employees shall be granted six (6) PTO days per year as previously stated. Paid time off shall be cumulative to 30 days total. Paid time off may be taken by the employee for any reason they deem necessary.

Upon termination of employment or retirement, certified staff will be paid \$200.00 a day (maximum of 30 days) for unused PTO accumulated after 2023.

Upon termination, classified staff will be paid \$75.00 a day (maximum of 30 days) for unused PTO.

All full-time classified employees who work *year-round* shall be granted nine (9) PTO days per year. After the first year in the same position an additional four (4) PTO days shall be granted and after the second year an additional four (4) PTO days shall be granted with a maximum accumulation of 17 PTO days. This paid time off shall be cumulative to 30 days total.

Upon termination of employment or retirement, all full-time classified staff who work year-round will be paid \$100.00 a day (maximum of 30 days) for unused PTO accumulated after 2023.

Paid time off may be taken by the employee for any reason they deem necessary as previously stated. In addition, three days of bereavement leave shall be granted to be used in the event of a death to a member of the employee's immediate family. Bereavement leave is not accumulative

NOTE: Each employee earns at least 1 hour of paid sick leave for every 30 hours worked, up to a maximum of 48 hours (6 days). Districts may provide paid sick leave that accrues at a faster or more generous rate than required and may satisfy the accrual requirements by providing employees with an amount of paid sick leave that meets or exceeds the 48 hours at the beginning of the year. C.R.S. 8-13.3-403(2)(a).

Documentation may be required for approval of taking four or more consecutive PTO days. Any health or safety information relating to an employee or employee's family member will be maintained on a separate form and in a separate file from other personnel information, treated as confidential medical records, and will not be disclosed except to

the affected employee or with the express permission of the affected employee.

NOTE: Districts may, but are not required to, pay out unused paid sick leave upon termination, resignation, retirement, or other separation. C.R.S. 8-13.3-403(5)(a). However, districts must reinstate any unused paid sick leave if an employee is rehired within 6 months of separating from the district. C.R.S. 8-13.3-403(5)(b).

Reinstatement upon rehiring

If an employee separates from employment with the district and is rehired by the district within six (6) months after the separation, the district must reinstate any paid time off that the employee had accrued but not used during the employee's previous employment if that accrued PTO had not been paid out at the time of the separation.

Additional PTO during a public health emergency

In addition to the PTO generally accrued, on the date a public health emergency is declared the district will supplement each employee's accrued paid time off as necessary to ensure that full-time employees who work 32 hours or more in a week may take at least 64 hours of PTO and that employees who work fewer than 32 hours in a week may take at least the greater of the number of hours the employee is scheduled to work in a 14-day period or the average time the employee works in a 14-day period. The district may count an employee's unused accrued PTO toward the supplemental paid time off.

An employee may use the supplemental paid time off until four (4) weeks after the official termination or suspension of the public health emergency. Leave under this provision may be taken for the following reasons:

- self-isolation or seeking medical care or treatment due to a diagnosis or symptoms of a communicable illness that is the cause of a public health emergency;
- caring for a family member who is self-isolating or seeking medical care after being diagnosed or is experiencing symptoms of a communicable illness that is the cause of a public health emergency;
- a determination from a local, state, or federal public official or health authority that an employee or a member of the employee's family that the employee cares poses a risk to the health of others;
- caring for a family member when the individual's school or place of care has been physically closed due to a public health emergency; or
- an employee's inability to work because of a health condition that may increase susceptibility to or risk of a communicable illness that is the cause of a public health emergency.

Documentation is not required to take PTO during a public health emergency.

Nondiscrimination

The Board, the superintendent, other administrators and district employees will not unlawfully discriminate, take adverse action, or retaliate against any employee who takes, attempts to take, or supports taking PTO in accordance with this policy, files a complaint

or informs any person about an alleged violation of the Healthy Families and Workplaces Act, or participates in an investigation, hearing, or proceeding related to such matter.

Notice

To reduce unlawful discrimination and to ensure a healthy workplace environment, the administration is responsible for providing notice of this policy and the poster created by the Colorado Department of Labor and Employment to all district schools and departments. The policy must be referenced in employee handbooks and otherwise be made available to all staff through electronic or hard-copy distribution.

Personal days **for all employees** (certified and/or classified) may not be used on days preceding or following a vacation (spring break), holiday (New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas), the opening week of school and during the final two weeks of school. Requests for personal paid time off on these days may be approved by the administrator, but will result in an additional day's pay deduction. Routine medical appointments are not to be scheduled on inservice days. In addition, three days of bereavement leave shall be granted to be used in the event of a death to a member of the employee's immediate family. Bereavement leave is not accumulative.

A full-time classified employee as defined in Policy GD will receive 6 days of PTO per year.

A part-time classified employee as defined in Policy GD will receive 4 days of PTO per year.

A limited part-time classified employee as defined in Policy GD will receive 3 days of PTO per year.

Paid time off shall not apply during vacation leave, paid holidays or leaves of absence.

At the end of each school year, all employees will have the option to redeem any unused PTO days and/or accumulate days. The district office will notify employees annually of their qualification to redeem hours. Employees must designate on the form provided by the district whether they will accumulate days (up to 30 days) or redeem the accumulated days. All days will be paid in the month of June.

Adopted 2005

Revised: April 2012

Revised: September 2013

Revised: August 2015

Revised: January 2021

Revised: March 2021

Revised: April 2023

LEGAL REFS: C.R.S. 2-4-401 (definition of immediate family)
C.R.S. 8-13.3-401 et seq. (Healthy Families and Workplaces Act)

CROSS REFS: GBGF, Federally-Mandated Family and Medical Leave
GBGH, Paid Time Off Bank
GBGL, Staff Victim Leave
GBJ, Personnel Records and Files

NOTE 1: Districts must retain records for each employee for a 2-year period, documenting hours worked, paid sick leave accrued, and paid sick leave used. These records are subject to audit by the Colorado Division of Labor Standards and Statistics in the Department of Labor and Employment. C.R.S. 8-13.3-409(1).

NOTE 2: The Healthy Families and Workplaces Act does not apply to employees covered by a bona fide collective bargaining agreement in effect on the effective date of January 1, 2021 if the collective bargaining agreement provides for equivalent or more generous paid sick leave. It also does not apply to employees covered by a collective bargaining agreement that is initially negotiated or negotiated for the next collective bargaining agreement after the effective date of January 1, 2021 if the paid sick leave requirements are expressly waived and the collective bargaining agreement provides for equivalent or more generous paid sick leave.