

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES
SECTION: II. HUMAN RESOURCES POLICIES AND PROCEDURES
Subsection: I. Leaves – All Employees

December 2008

1. Annual Leave

For all categories of employees, annual leave shall be as set forth in the respective subsection outlining policies for that category of employee (i.e., classified, non-classified, faculty, etc.)

2. Sick Leave

a. All employees accrue sick leave as provided for in Chapter 53, Title 67, Idaho Code, and rules of the Idaho Division of Human Resources. Sick leave shall be used in accordance with state law and internal institution or agency policies.

b. At the employee's option, annual leave may be used in lieu of sick leave.

3. Disability, Workers' Compensation, and Family Medical Leave

Disability, Workers' Compensation, and Family Medical leave shall be in accordance with applicable state and federal law.

4. Holidays

A holiday is a day of exemption from work granted to employees and for which they are compensated as if they had actually worked.

a. The following holidays are recognized by statute and the Board:

January 1 (New Year's Day)
Third Monday in January (Martin Luther King, Jr. Day/Human Rights Day)
Third Monday in February (Presidents' Day)
Last Monday in May (Memorial Day or Decoration Day)
July 4 (Independence Day)
First Monday in September (Labor Day)
Second Monday in October (Columbus Day)
November 11 (Veterans Day)
Fourth Thursday in November (Thanksgiving)
December 25 (Christmas)

b. In addition, any day may be designated by the President of the United States or the Governor of Idaho for a public fast, Thanksgiving, or holiday.

c. In the event that a holiday occurs on a Saturday, the preceding Friday is recognized as a holiday. If a holiday falls on a Sunday, the following Monday is recognized as a holiday.

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES
SECTION: II. HUMAN RESOURCES POLICIES AND PROCEDURES
Subsection: I. Leaves – All Employees

December 2008

- d. If a chief executive officer desires to designate a holiday that is different from those specified above, the Chief Executive Officer must notify the Executive Director.

5. Other Leave

All other types of leave for classified employees shall be in accordance with Chapter 53, Title 67, Idaho Code, and the rules of the State Division of Human Resources. Other types of leave for University of Idaho classified employees shall be in accordance with the policies of the University of Idaho.

All other types of leave for non-classified employees, including faculty employees, shall be in accordance with the internal policies of each institution or agency and with the following:

a. Leave for Court Required Service

- i. An employee who is summoned for jury duty or subpoenaed as a witness before a court of competent jurisdiction or as a witness in a proceeding before any federal or state administrative agency will be granted leave with pay and any jury or witness fees may be retained by the employee.
- ii. An employee must request annual leave or leave without compensation for:
 - 1) appearing as a party in a non-job-related proceeding involving the employee;
 - 2) appearing as an expert witness when the employee is compensated for such appearance; or
 - 3) appearing as a plaintiff or complainant, or as counsel for a plaintiff or complainant, in a proceeding in which the Board or any of its institutions or agencies is a defendant or respondent.

b. Military Leave

Leave for the purpose of military service shall be in accordance with applicable state and federal law.

c. Leave Without Pay

- i. Any employee may apply for leave without pay. Leave without pay is granted at the discretion of the Chief Executive Officer. The initial grant of leave without pay may be for a period of up to one (1) calendar year. Extensions of

Idaho State Board of Education

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December 2008

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- such leave for one (1) year at a time may be granted by the Chief Executive Officer not to exceed a total of three (3) successive calendar years.
- ii. It is the Board's intent that the state salary not be duplicated to an employee serving in the Legislature. Therefore, an employee of an institution or agency who is elected or appointed to the Idaho State Legislature must be placed on leave without compensation for hours not worked during such time as the Legislature is in session. Any such employee must complete a time sheet every pay period during the session and may only be compensated for actual hours worked for the institution or agency. All hours short of forty (40) per week must be leave without compensation.
 - iii. **Benefits While on Leave Without Pay.** An employee who has received approval from the chief executive officer for leave without pay may continue to contribute toward and receive the benefits of any state or institutional insurance and retirement programs, if the laws, rules, regulations, policies, and procedures governing the administration of such insurance and retirement programs permit.
 - d. At the discretion of the Chief Executive Officer, an employee may be granted administrative leave with pay when the agency or institution will benefit as a result of such leave.