

## ARTICLE 3. PERSONNEL

### POLICY: ETHICS

#### **A. PHILOSOPHY**

Every employee assumes responsibility for providing leadership in the Division, School and the SRP-MIC. This responsibility requires the employee to maintain standards of exemplary conduct. It must be recognized that the employee's actions will be viewed and appraised by the Community, associates, and students. To these ends, the Board adopts the following statements of standards.

#### **B. ETHICAL BEHAVIOR**

All Division employees shall:

##### ***a. Student Well-being***

Make the education and well-being of students the fundamental value of all decision making and actions.

##### ***b. Proper Relationships***

Maintain just, courteous, professional, and proper relationships with students, parents, staff members, and others.

##### ***c. Strive for Knowledge***

Strive for the maintenance of efficiency and knowledge of developments in the employee's field of work.

##### ***d. Honesty & Integrity***

Fulfill job responsibilities with honesty and integrity.

##### ***e. Civil Rights***

Support due process and protect the civil rights of all individuals.

##### ***f. Constructive Feedback***

Provide constructive criticism made directly to the school administrator who has the responsibility for improving the situation.

##### ***g. Respect for Law***

Comply with applicable Community, state and federal laws and not knowingly join or support organizations that advocate, directly or indirectly, the unlawful overthrow of the government.

##### ***h. Comply with Policy***

Implement and comply with the Board's policies and administrative rules and regulations.

##### ***i. Appropriate Message***

Refrain from using school contacts and privileges to promote partisan politics, sectarian religious views, or selfish propaganda of any kind.

##### ***j. Resolve Issues***

Pursue appropriate measures to correct any laws, policies, or regulations that are not consistent with sound educational goals.

##### ***k. Appropriate Influence***

Avoid using position for personal gain in political, social, religious, economic matters, or other influence.

##### ***l. Professional Development***

Maintain the standards and seeks to improve the effectiveness through thorough research and continuing professional development.

##### ***m. Protect Assets***

Stress the proper use and protection of all school property, equipment, and materials.

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### *n. Honor Contracts*

Honor all contracts until fulfillment or release.

### *o. Student Welfare*

Establish and support the welfare and success of students as a fundamental value and goal of the School.

### *p. Appropriate Relationships*

Support and maintain appropriate relationships with staff, parents, students, and others that work to enhance the Division's mission.

### *q. Organizational Contributions*

Work to develop the knowledge and skills that lead to improvements in the employee's contribution to the Division.

### *r. Confidentiality & Discretion*

Take no personal or private actions that compromise the Board, Administration or Community Council and respect confidentiality of privileged information.

### *s. Conflict of Interest*

Not violate the policy on Conflict of Interest.

## C. CONFIDENTIALITY

In the performance of duties, employees shall keep in confidence such information as they may secure unless disclosure is approved and serves the Department's purpose or is required by law

## D. STAFF PARTICIPATION IN POLITICAL ACTIVITIES

### **1. PHILOSOPHY**

The Board recognizes the right of its employees, as citizens, to engage in political activity.

### **2. WORK HOURS**

Employment time may not be used for political purposes unless it has been approved by the Board.

### **3. POLITICAL GAIN**

Employees will not use their offices or duty time for political gain for themselves or for others.

### **4. COUNCIL SANCTIONED ACTIVITIES**

This prohibition does not include sanctioned political action on behalf of the Salt River Pima-Maricopa Indian Community Council or the Division.

## E. CODE OF ETHICS

As employees of the Education Division, our mission is to educate all students to their maximum potential. The Code of Ethics is intended to help the Division achieve success by increasing trust, setting common expectations, establishing commitment and teamwork within the Division, and developing a greater understanding of the impact of a Code of Ethics on the total community.

A Code of Ethics helps develop trust by describing what the Community can expect from us, and what we can expect from each other and our Division. It plays a central role in the Division's commitment to help employees achieve the highest ethical standards in their professional activities and relationships. The goal is to create a culture that fosters trust, commitment to excellence and responsibility, personal and institutional integrity, and avoids conflicts of interest and appearances of impropriety.

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### 1. APPLICABILITY AND ENFORCEABILITY

The Code of Ethics applies to all Division personnel, volunteers, Education Board Members, officials and others acting on behalf or relative to the Division. Violations of this Code of Ethics may result in administrative or disciplinary action.

### 2. CORE PRINCIPLES

To help the Division achieve our mission, we are committed to three core ethical principles:

- a. Commitment to Excellence
- b. Division and Personal Integrity
- c. Responsibility

### 3. MAKING ETHICAL DECISIONS

While the Code of Ethics provides general guidance, it does not provide a complete listing or a definitive answer to every possible ethical situation. When making decisions, we should use good judgment to fulfill the spirit as well all the letter of this Code of Ethics.

The Code of Ethics includes but is not limited to documents such as SRP-MIC Council Policies and Ethical Standards, Education Board policies, applicable federal, state and tribal laws including the tribal code and ordinances, rules, procedures and bulletins that provide more detailed guidance. The foregoing are adopted into this Code of Ethics and shall become a part of it and shall be enforceable against employees and others as noted above. When making decisions:

- a. **Evaluate** the situation and identify the ethical issues.
- b. **Follow the rules.**
  - i. Consult the Code of Ethics, applicable federal, state and tribal laws including the tribal code and ordinances, SRP-MIC Council Policies and Ethical Standards, Education Board Policies, Education Division policies, rules, regulations, and bulletins and apply them to the situation.
- c. **Ask for guidance** from your supervisor.
  - i. If your supervisor is involved in the problem, contact his or her supervisor, or the ED Human Resources Department for help. Ask for help early-before you act.
- d. **Make and carry out a decision** that is consistent with the rules and develops excellence, integrity and responsibility.
- e. **Contact the ED Human Resources Department**
  - i. For advice, help, training, copies of ethics publications or more information on the ethics program visit our website or contact us directly.

### 4. COMMITMENTS AND EXPECTATIONS

To achieve our mission of educating students, the Division strives to create an organizational culture that fosters trust and focuses on excellence. Our goal is to develop an environment that is personally fulfilling, supports ethical decision-making, and provides a setting where hard work, creativity and innovation are the norm. To succeed, we must have the same expectations about how we will practice our commitment to excellence, integrity and responsibility in our everyday work.

#### *a. Commitment to Excellence*

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The Division is committed to having the best schools and personnel to meet the challenge of continued improvement and educating our students to their maximum potential. Everything we do has an impact on the classroom.

- i. Set the example  
We are committed to providing the best example we can, striving to demonstrate excellence, integrity and responsibility in our work.
- ii. Create an environment of trust, respect and non-discrimination  
We are committed to creating an environment of trust, care and respect. We will not tolerate discriminatory or harassing behavior of students or staff.
- iii. Provide honest, accurate and timely information  
We are committed to candor in our work relationships, providing other Division personnel including supervisors and senior staff members with accurate, reliable and timely information.
- iv. Identify problems and help create solutions  
We are committed to identifying areas for improvement within the Division and suggesting and implementing solutions that make us more successful.
- v. Keep policies, procedures and rules  
Our rules, policies and procedures are the foundation of trust and how our Division conducts everyday business. They define our expectations and evaluation criteria. We are committed to following SRP-MIC Policies and Ethical Standards, Education Board Policies, this Code of Ethics, applicable federal, state and tribal laws including the tribal code and ordinances, Division rules, regulations, bulletins, and procedures.
- vi. Report improper conduct  
When someone does well, it reflects well on all of us. When we make a mistake, we strive to correct it and learn from it. We are committed to reporting gross mismanagement, significant waste of funds, abuse of authority, threats to safety, violations of our Code of Ethics, applicable federal, state and tribal laws, rules, regulations, bulletins, policies and procedures, or other conduct that damages our integrity or reputation. Such violations shall be reported to the proper immediate supervisor, Superintendent/Director, or to the ED Human Resources.
- vii. Keep colleagues safe from retaliation  
We are committed to creating a work environment where problems can be reported and solved. We are prohibited from threatening, harassing, punishing or retaliating against employees who make good faith reports.

### ***b. Division and Personal Integrity***

To maintain our integrity, we are committed to making decisions in the best interests of the Division. We will avoid conflicts of interest and the appearance of impropriety.

#### **i. Avoid conflicts of interest and improper outside income**

A conflict of interest can exist anytime our position or decisions provide us a financial benefit or improper advantage. We are permitted to receive outside income as long as it does not create a conflict with work in the Division. We are committed to declining outside income that might be perceived as inconsistent, incompatible or in conflict with our official duties or which compromises or diminishes our effectiveness as a Division employee. We will not make decisions or use our position for personal benefit or to gain an improper advantage.

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### ii. **Decline gifts**

A gift is a benefit we receive for which we did not pay. Gifts can include merchandise, food, tickets, use of facilities, investments, rebates or discounts not offered to the public, or forgiveness of debt from contractors, lobbyists, parents, students or others. Acceptance of gifts shall be in accordance with all applicable Community and Education Division HR Personnel policies or any other applicable policy in effect.

We will not accept gifts or gratuities for personal use unless the gift is reported to the employee's immediate supervisor within two (2) business days and approval is received to keep the gift.

We will not accept a gift that gives the appearance that the gift improperly influenced our decisions regardless of the amount. We will not solicit contractors, lobbyists, parents or others for anything that provides us a personal benefit different from the public.

Accepting any fee, gift or other valuables in the course of his or her employment for the employee's personal use is considered to be unethical conduct unless the gift is reported to the employee's immediate supervisor in writing within two (2) business days and approval is received to keep the gift. This provision will not prohibit acceptance by an employee of food or refreshments that are incidental to a business meeting, or unsolicited advertising or promotional material of nominal value. Refer to entire XV. Ethics and XVI. Discipline.

### iii. **Improper influence of family members and associates**

We are committed to abstaining from decisions that could result in a direct benefit to a member of our "family circle" as defined by the Leave Policy, or co-habitant including, but not limited to, hiring, promotion, discipline, evaluation or direct supervision.

### iv. **Maintain appropriate relationships with students**

We are committed to ensuring that employee-student relationships are positive, professional and non-exploitative. We will not tolerate improper employee-student relationships.

### v. **Keep procurement information confidential**

To reinforce public trust and confidence in our procurement processes, we are committed to ensuring that procurement information is kept confidential, used only in the performance of our duties, and not released early to potential contractors.

### vi. **Keep the contracting process objective**

We are committed to making contract award recommendations in the best interest of the Division. From the time a Request for Proposal (RFP), specification or other contract document is issued until the staff recommendation is made public, we will not have contact concerning the contract with contractors participating in the process or their representatives.

### vii. **Uphold Division interests in hiring and promotion**

We are committed to hiring and promoting Division personnel based on their qualifications and the job-criteria of the position, and will not tolerate practices that not based on objective candidate evaluation.

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### *c. Responsibility*

We are committed to holding each other responsible for our performance as a Division and as individuals.

#### **i. Proper use of Community position**

We are committed to ensuring that our power and authority are used in an appropriate, positive manner that enhances the Community interest and trust. We will not use our authority to improperly influence people or obtain preferential treatment.

#### **ii. Proper use of public resources**

We are committed to ensuring that Division facilities, equipment, supplies, mailing lists or other Division resources are used for Division purposes only and will follow applicable Division and SRP-MIC Administrative Policies regarding use of equipment. We reserve the right to require reimbursement to the Division for costs associated with personal use where authorization for limited use was not specifically granted by the Program Manager, or Superintendent/Director.

#### **1) Leadership of Division personnel and use of Division time**

We are committed to ensuring that Division personnel are tasked to perform only Division work on Division working-time. We will not direct or permit Division personnel to perform personal services on Division working time and will report such incidents to the direct supervisor, ED Human Resources Department, Tribal Human Resources Department, or Superintendent/Director.

#### **iii. Uphold confidentiality**

We are committed to abiding by all SRP-MIC Administrative and Education Board Policies, applicable federal, state and tribal laws and Division procedures concerning confidential information, including student records, personnel files, agreements, and Division records. We will not reveal confidential information, including meeting content and the sources of comments, from staff, faculty, parents and closed Education Board meetings.

#### **iv. Waivers**

The Superintendent/Director or his/her designee upon a showing of good cause may waive an ethics prohibition in writing with approval of the Education Board.

## **POLICY: CONFLICT OF INTEREST**

No employee of the Education Division shall make use of, for private gain, information which is available solely by reason of his or her status as an employee.

### **1. PROHIBITION AGAINST SOLICITATION**

No employee of Education Division shall solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value, from any person, corporation, or group which has interests or is seeking to obtain contractual or other business of financial relationship with the SRP-MIC; conducts operations or activities which are regulated by the SRP-MIC; or which has interests which may be affected by the employees' performance or non-performance of his or her official duty.

### **2. FURTHER PROHIBITIONS**

The Division prohibits any activity that constitutes a conflict of interest, including but not limited to:

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### *a. Confidentiality*

No employee of the Division shall disclose or make use of, for the employee's or employees immediate families, personal, political, or financial gain, information which is available solely by reason of his or her employment.

### *b. Solicitation and Gifts*

#### **i. Employee Solicitation**

Accepting any fee, gift or other valuables in the course of his or her employment for the employee's personal use is considered to be unethical conduct unless the gift is reported to the employee's immediate supervisor in writing within two (2) business days and approval is received to keep the gift. Refer to entire Section XV. Ethics.

#### **1) Prohibition**

Solicitation of employees for contributions of any kind shall be limited and is permitted only with the advance concurrence of the Superintendent/Director.

#### **ii. Receipt of Gifts**

#### **2) Gifts from Others**

Students, parents, and other patrons of the Division are discouraged from the routine presentation of gifts to employees.

#### **3) Gifts to Others**

Gifts to students by staff members are discouraged.

#### **iii. Solicitation of Gifts or Other Valuables**

#### **4) Influence**

An employee's position shall not be used to influence parents and/or students to purchase books or other merchandise or for personal gain, except for materials approved by the Superintendent/Director for use in the classroom.

### *b. Recuse from Decision Making*

If a School or Program has employees who would otherwise have decision making authority over the provision of services to immediate family members, the department must have a written policy and procedures for the decision to be made by the next line-up supervisor, or above. This requirement does not apply to the provision of services to the general public, such as trash pick-up.

### *c. Hiring of Relatives*

Because of large families, high unemployment levels and the need to make public service in this Community attractive rather than a hardship, the following policies apply:

#### **i. Supervisory Authority**

No person shall hold a position over which a member of his or her immediate family exercises first-line supervisory authority.

#### **ii. Family Circle**

For purposes of this policy, a member of an immediate family shall include any of the following persons:

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Husband	Wife	Father
Mother	Father-in-law	Mother-in-law
Brother	Sister	Brother-in-law
Sister-in-law	Son	Daughter
Son-in-law	Daughter-in-law	Grandfather
Grandmother	Grandson	Granddaughter
Niece	Nephew	Aunt
Uncle	Legal guardian	

### iii. Domestic Partner

"Immediate Family"- Also includes a "domestic partner", which is any person living regularly in the same household like a married couple, such as "significant other", so-called "common-law" wife or husband, and persons cohabitating and relatives of the domestic partner, cohabitant as noted above.

### iv. Prohibition-Selection Panels

An employee may not be on an interview panel if the pool of applicants includes an immediate family member.

## G. NON-SCHOOL EMPLOYMENT

### 1. PRIMARY EMPLOYEMENT

A regular, full-time employee's position in the Division shall be given precedence over any type of outside work or self-employment.

### 2. OUTSIDE EMPLOYMENT

Employees are free to carry on outside work or self-employment projects as long as no Division facilities, equipment, or school(s) are used, except as provided by policy, and the outside work or self-employment does not interfere with the employees' performance of Division assigned duties.

### 3. REPORTING OUTSIDE EMPLOYMENT

All outside work must be reported to the immediate supervisor and up the chain of command as appropriate.

### 4. CONFLICT OF INTEREST

Outside work that presents a conflict of interest is prohibited.

### 5. TERMINATION

If outside work presents a conflict of interest or interferes with the employee's performance of Division work, then employee must cease the outside work or employment with Division may be terminated.

### 6. PRIVATE TUTORING FOR PAY

#### *a. Prohibition Against Facility Use*

Division buildings are not to be used for private tutoring or classes for which students pay a fee to staff members unless a rental contract has been entered into with the Division.

#### *b. Prohibition Against Pay*

Staff members are not permitted to provide tutoring for pay to any students who attend or are registered in any of the staff members' own classes.



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### 7. PROFESSIONAL RESEARCH AND PUBLISHING

#### *a. Rights to Materials*

The Board has proprietary rights to publications, instructional materials, and devices prepared by employees unless prepared by such employees on their own time and without use of Division facilities and/or equipment.

### POLICY: NOTIFICATION OF CRIMINAL CHARGE

The Education Board considers the safety and security of students to be a priority in all Division programs. Division management must be aware of criminal charges and/or convictions of persons who have regular access to, or contact with children so that an informed decision can be made about student safety.

The purpose of this policy is to define requirements for reporting criminal charges, arrests, and subsequent court actions for all persons who interact with, or may interact with, Division students and/or who provide services of any nature. In addition, criminal and/or civil traffic violations that may jeopardize SRPMIC driving clearance shall be reported. This policy shall apply to:

- A. SRP-MIC employees
  - i. Employed in the Division
  - ii. In other government departments and who are assigned to Division sites
- B. SRP-MIC contractors
- C. Private / non-profit agency staff and volunteers who work with the Division and have access or contact with children of the schools.
- D. Division volunteers who work with the Division and have access or contact with children of the SRP-MIC Schools.
- E. Adult program participants who work with the Division and have access or contact with children of the SRP-MIC Schools.

### 1. ENFORCEMENT RESPONSIBILITIES

#### *a. Reporting Timeliness*

All personnel noted above are required to report any arrests, criminal citations or convictions to their immediate supervisor and the ED HR Department no later than the first business day following the incident. Individuals are also required to report major and/or minor traffic violations that have, or may result in, the suspension of SRP-MIC driving privileges. A copy of charging documents shall be provided to the ED HR Department.

Individuals are not required to notify the Education Division of civil minor traffic violations (i.e., parking violations, etc.) unless the accumulation of those offenses may result in the suspension of Division driving privileges.

#### *b. Status Monitoring*

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After the initial report is made, the individual must report all pending court appearances, the outcome of those appearances, and changes in the status of the case to the ED HR Department, no later than the first business day following the court appearance or change.

### ***c. Failure to Report***

Failure to report the arrest, criminal citation, conviction or applicable traffic violation may result in disciplinary action up to and including employment termination, contract termination, loss of volunteer privileges, and/or barring of access to Division worksites, as appropriate.

### ***d. Supervisor Responsibility***

Supervisors are responsible for forwarding information regarding charges and/or convictions to the ED HR Department. Upon notification that a person has been charged, arrested, received a criminal or major traffic citation, or been convicted of a criminal offense, the supervisor shall direct and/or escort the employee to the ED HR Department.

### ***e. Education Human Resources***

The ED HR Department shall be responsible for:

- i. Monitoring the status of reported charges / offenses
- ii. Keeping supervisors advised of employee status
- iii. Advising the SRP-MIC Office of the General Counsel (OGC) of pending and resolved charges as appropriate

### ***f. Status Pending Charge Outcome***

The ED HR Department shall evaluate the reported charges and shall make a recommendation to the Superintendent/Director regarding appropriate actions. An employee may be placed on Administrative Leave, or Temporary Duty Reassignment, pending an evaluation or investigation in accordance with applicable SRP-MIC and Division policies and procedures. Volunteer, contractor, or staff from other government departments may be barred from access to Division worksites pending resolution of the charges.

## DEFINITIONS

Children- All children and/or students who are in an environment controlled by the Education Division.

Contractor- A person, or person employed by a company, who is contracted to provide on-site or off-site services and who is not an employee of SRPMIC.

Major Traffic Violations- Criminal traffic offenses (e.g. Driving Under the Influence, Hit and Run, Drag Racing, Reckless Driving, etc.) See Arizona Revised Statutes Title 28 to determine if a specific offense is a major or minor traffic violation.

Minor Traffic Violations- Civil Traffic offenses (e.g. red light, changing lanes, failure to stop, etc.) See Arizona Revised Statutes Title 28 to determine if a specific offense is a major or minor traffic violation.

Private/ Non-Profit- A non-profit organization has 501(c)(3) designation under IRS tax law. This would typically include religious, educational, charitable organizations. A private organization may be a volunteer or for profit organization that is providing services to the Education Division.

Regular Contact- Contact with children / students on more than two (2) occasions within the school calendar year.

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Volunteer - A person who provides services to the Education Division without compensation either Individually, or as a member of a partner organization.

### **POLICY: DISCIPLINE-CAUSE FOR DISCIPLINARY ACTION LOSS OF CREDENTIALS**

**Required job-related certification or license.** This requirement pertains to employees who must maintain one or more specific type(s) of certification or license as a part of their job. Such positions include *but are not limited to* Certified Teachers, Counselors, Administrators, Speech Therapists and Bus Drivers. Employees are responsible for monitoring the expiration date and ensuring that their certification or license credential is ***current at all times***. Failure to maintain a current license or certification, as required, may result in disciplinary action.

#### **14. LOSS OF CREDENTIALS**

**Loss or expiration of Arizona Department of Education (ADE) certification or licensure** required by the Division for employee's position causing an inability to perform. Certified employees are responsible for submitting their current Arizona Department of Education (ADE) Certificate prior to the expiration of the existing ADE Certificate on file, if any. If any employee does *not* provide ED Human Resources Department with their ADE Certificate prior to the expiration date, then the employee will be placed on Administrative Leave Without Pay until the ADE Certificate is provided to the ED Human Resources Department.

**IVP/DPS Fingerprint Clearance Card.** This requirement pertains to employees who (1) must have an Arizona IVP/DPS Fingerprint Clearance Card to maintain their certification and/or (2) submitted their IVP/DPS card as part of their background investigation for employment. Employees are responsible for monitoring the expiration date and ensuring that their IVP/DPS card credential is current at all times. Failure to maintain a current AZ IVP/DPS Fingerprint Clearance Card, as required, may result in disciplinary action.

#### **14. LOSS OF CREDENTIALS**

**Loss or expiration of a valid Arizona Department of Public Safety Fingerprint Clearance Card** required by the Division for employee's position. Certified employees are responsible for renewing their AZ DPS Fingerprint Clearance Card, prior to the expiration date. If any employee does *not* provide ED Human Resources Department with their valid AZ DPS Fingerprint Card prior to the expiration date, then the employee will be placed on Administrative Leave Without Pay until the valid AZ DPS Fingerprint Card is provided to the ED Human Resources Department.

**POLICY: DISCIPLINE-CAUSE FOR DISCIPLINARY ACTION  
USE OF ELECTRONIC DEVICES WHILE DRIVING**

**22. USE OF ELECTRONIC DEVICES WHILE DRIVING**

Education Division employees driving a government vehicle or a personal vehicle for the purposes of conducting business of the Division, while on Division related travel or during duty hours are prohibited from using a cellular device, texting, instant messaging, and composing or reading written messages or emails while the vehicle is in motion. Cellular phones shall only be used in “hands free” mode.

**POLICY: BENEFITS  
LEAVE**

**(Unscheduled Absences, Leave Requests, Leave Without Pay)**

**3. Procedures**

***a. Without Pay Scheduled Absences***

- i. A scheduled absence is an absence that is submitted at least one (1) business day in advance and approved by the immediate supervisor regardless of the type of leave. Employees are required to submit a written or electronic leave request for approval.
- ii. Any leave request that is not submitted within the required timeframe is an unscheduled absence.

***b. Unscheduled Absences***

- i. An unscheduled absence is an absence that has not been requested by the employee and approved by immediate supervisor more than one (1) business day prior to absence. Employees will be required to submit a written electronic leave request upon their return from an unscheduled absence.
- ii. Unscheduled absences of more than six (6) occurrences within a twelve (12) month period shall be considered excessive and may result in disciplinary action.
- iii. An unscheduled absence from a scheduled work shift is counted as one (1) occurrence. If the employee is off work for more than one (1) consecutive day for the same reason, the multiple day absence will only count as one (1) occurrence.

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- iv. Department management is required to track unscheduled employee absences and maintain attendance tracking records which should include detailed reason for the absence.
- v. Departments shall be responsible for establishing call-in procedures based on their individual operational needs.
- vi. Employees' must follow department call-in procedures to report absences either by telephone, voicemail, email, or text message and should include the reason for the absence and the anticipated length of absence. Management should acknowledge the message within a reasonable timeframe.
- vii. If an employee is incapacitated, then another responsible person may contact the employee's immediate supervisor to report the absence.
- viii. The employee is required to contact his/her immediate supervisor each say the employee will be absent unless the supervisor waives this requirement due to circumstances.
- ix. Receipt of a telephone or email notification by the supervisor does not constitute approval of the employee's absence. This decision to apply paid leave will be made by the supervisor after the employee has submitted a written/electronic leave request. Documentation may be required to validate the leave request.
- x. A No Call, No Show is when an employee who is absent from work and fails to notify their chain of command within two (2) hours of the start of their shift of their unscheduled absence. Generally, a "No Call, No Show" is recorded as Leave Without Pay. This may result in immediate disciplinary action.
- xi. Employees are required to communicate and provide as much notice for a leave as possible and must notify their supervisor at least two (2) hours prior to the start of their shift when they need unscheduled leave. Department management may establish a different timeframe based on operational requirements.

### 13. LEAVE WITHOUT PAY

#### a. *Leave Without Pay*

There may be circumstances when an employee, who has not abused the leave policy, may exhaust all leave and still need additional time off. Leave Without Pay is a temporary non-paid status which is intended for short term and intermittent leave. Leave Without Pay may only be granted when:

- No other paid leave is available or authorized;
- Extraordinary circumstances exist;
- Granting Leave Without Pay is in the best interest of the Community/Education Division; or

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- An employee is a “No Call, No Show” for work and may receive Leave Without Pay for the duration of the their unscheduled and approved absence.
  
- b. Authority for Use**  
Leave without Pay may be granted under extraordinary circumstances when no other leave is available or authorized.
  
- c. Leave Without Pay Approval**  
Approval of Leave Without pay is at the discretion of the employee’s Site/ Department Manager. Requests for Leave Without Pay that exceeds (5) days must be approved by the Superintendent/Director. Denial of Leave Without Pay is not subject to appeal or grievance.
  
- d. Leave Without Pay Limitations**  
Unpaid leave is a last resort and reserved for highly restrictive circumstances that are determined to not conflict with the best interest of the Education Division and the Community. All available annual and sick leave must be exhausted before utilization of Leave Without Pay is an option. A Site/ Department Manager may not authorize more than forty (40) hours of Leave Without pay per employee within a calendar year. When an employee is expected to exceed the forty (40) hours Leave Without Pay limitation, the Site/Department Manager may extend the Leave Without Pay hours due to extraordinary circumstances, however, the decision will need to be approved by the Superintendent/Director in writing with a plan to return to work for the employee.
  
- e. Leave Accrual Impact**  
Employees on Leave Without Pay will not accrue Sick or Annual Leave.
  
- f. Holiday Pay Impact**  
Employees on Leave Without Pay prior to and following a holiday are not eligible for Holiday pay.
  
- g. Leave Without Pay Review**  
Use of Leave Without pay will be closely monitored by Department Managers to minimize its use and to determine whether underlying leave abuse has resulted, which may lead to disciplinary action.