

WACTC

Western Area Career & Technology Center

Section: Administrative Employees

Title: Assignment and Transfer

Adopted: January 24, 2007

309. ASSIGNMENT AND TRANSFER

The Western Area Career & Technology Center Joint Operating Committee shall approve the initial assignment of administration personnel at the time of employment and when such assignment involves a transfer or involves a move to a position requiring a certificate or other credentials other than those required for the employee's present position.

The Director shall provide for a system of assignment or reassignment that will include voluntary transfers.

Vacancies shall be publicized and posted as required.

Current employees may apply for position openings as they occur, but will be required to submit to the application and review process in accordance with established Joint Operating Committee policy.

WACTC

Western Area Career & Technology Center

Section: Administrative Employees
Title: Abolishing a Position
Adopted: January 24, 2007

310. ABOLISHING A POSITION

It is the responsibility of the Western Area Career & Technology Center Joint Operating Committee to provide the administrative staff necessary for the implementation of the educational program and for the proper operation of the school.

The Joint Operating Committee recognizes its responsibility to maintain administrative, faculty and staff positions consistent with the needs of the school.

Reduction in staff as a result of the abolishment of positions shall be in accordance with PA School Code law and established Joint Operating Committee policy.

Section: Administrative Employees
Title: Suspensions and Furloughs
Adopted: January 24, 2007

311. SUSPENSIONS AND FURLOUGHS

Maintenance of an administrative and supervisory staff appropriate to effectively manage the affairs of the school is a Joint Operating Committee responsibility. The purpose of this policy is to establish the manner in which necessary reductions of that staff shall be accomplished.

The Western Area Career & Technology Center Joint Operating Committee has the authority and responsibility to determine how suspensions and furloughs of administrative staff shall be made when necessary and in accordance with law.

The Director shall develop administrative procedures for the reduction of staff in accordance with this policy and with applicable law.

Section: Administrative Employees
Title: Physical Examination
Adopted: August 26, 1973
Revised: January 24, 2007

314. PHYSICAL EXAMINATION

The Joint Operating Committee desires to certify the fitness of its administrative employees to discharge efficiently the duties, which they will be performing and to protect the health of students from the transmission of communicable diseases.

Therefore, physical examinations of all administrative employees will be required prior to employment. For purposes of this policy, a physical examination shall mean a general examination by a licensed physician.

All candidates for employment, prior to being placed on the rolls of the school, shall undergo a medical examination.

The Joint Operating Committee requires that all employees undergo a tuberculosis examination upon initial employment in accordance with the regulations of the Advisory Health Board which shall be reported by its school nurse.

The Joint Operating Committee will accept an affidavit in lieu of an examination where circumstances warrant such action.

The results of all required medical examinations shall be made known to the Administrative Director on a confidential basis and discussed with the employee. Such medical records shall be kept in a file separate from the employee's personnel file.

Section: Administrative Employees
Title: Evaluation of Director
Adopted: January 24, 2007

312. EVALUATION OF DIRECTOR

Regular periodic evaluation of the Director's performance is a Joint Operating Committee responsibility. In carrying out this responsibility, it is recognized that the Director is entitled to such a review in an objective and straightforward fashion so that his/her leadership may be as effective as possible for the school.

The Director shall prepare and submit annual organizational goals.

The Director shall be evaluated annually in a manner consistent with the PA School Code.

WACTC

Western Area Career & Technology Center

Section: Administrative Employees
Title: Evaluation of Administrative Employees
Adopted: January 24, 2007

313. EVALUATION OF ADMINISTRATIVE EMPLOYEES

All administrative employees shall be evaluated annually by the Director. The Director shall establish and/or maintain an administration evaluation procedure consistent with the PA School Code.

Section: Administrative Employees
Title: HIV Infection
Adopted: January 24, 2007

314.1 HIV INFECTION

The Western Area Career & Technology Center Joint Operating is committed to providing a safe, healthy environment for its students and employees. The purpose of this policy shall be to safeguard the health and well-being of students and employees while protecting the rights of the individual.

This policy is based on current evidence that the HIV virus is not normally transmissible by infected individuals within the school setting, except as noted in this policy.

Definitions

HIV Infection – Refers to the disease caused by the HIV or human immunodeficiency virus.

AIDS – Acquired Immune Deficiency Syndrome

CDCP – United States Public Health Service Centers for Disease Control and Prevention.

Infected Employee – Refers to employees diagnosed as having the HIV virus, including those who are asymptomatic.

This policy shall apply to all employees in all programs conducted by the school

The Joint Operating Committee directs that established school policies and procedures that relate to illness among employees shall also apply to infected employees.

The Joint Operating Committee shall not require routine screening tests for HIV infection in the school setting, nor will such tests be a condition for employment.

The Director shall be responsible for handling and releasing information concerning infected employees.

All school employees shall maintain a respectful working climate and shall not participate in physical or verbal harassment of any individual or group, including infected employees.

All employees shall be required to consistently follow infection control/universal precautions in all settings and at all times. Employees shall notify the school's Health Care Professional of exposure to bodily fluids.

The building Supervisor shall notify school employees, students and parents/guardians about current Joint Operating Committee policies concerning HIV infection and shall provide reasonable opportunities to discuss the policy and related concerns.

Infected employees whose employment is interrupted or terminated shall be entitled to available medical leave and medical disability benefits. Such employees shall be informed by the Director of benefits, leave, and alternatives available to them through state and federal laws, school policies, the collective bargaining agreement, and the retirement system.

School employees with knowledge of an infected employee's condition shall not disclose that information without prior written consent of the employee, consistent with the requirements of the Pennsylvania Confidentiality of HIV-Related Information Act.

Universal precautions shall be followed for exposure to bodily fluids. Employees shall treat all body fluids as hazardous and follow universal precautions.

The school shall maintain reasonably accessible equipment and supplies necessary for infection control.

All school employees shall participate in a planned HIV education program.

Designated school employees shall receive additional, specialized training appropriate to their positions and responsibilities.

Section: Administrative Employees
Title: Disciplinary Procedures
Adopted: January 24, 2007

317. DISCIPLINARY PROCEDURES

Effective operation of the school's programs requires the cooperation of all employees in working together under a system of policies and rules applied fairly and uniformly to all employees. The orderly conduct of the school's business requires uniform compliance with these policies and rules, and uniform penalties and disciplinary procedures for violations.

Discipline shall be administered to administrative employees in a progressive manner unless the infraction warrants a more or less serious action. Disciplinary actions shall include verbal warning, cautionary notes, written warnings, letters of reprimand, suspension and/or dismissal. When appropriate, law enforcement agencies may be involved.

All disciplinary action shall be conducted in a manner consistent with local, state and federal regulations.

In the event it is necessary to demote or dismiss, a hearing shall be provided as required by statute.

When charges are filed against an administrative employee pursuant to the School Code, the Western Area Career & Technology Center Joint Operating Committee, after hearing the case in accordance with the procedures established in the School Code, may vote to discharge any such employee or authorize a lesser punishment short of discharge such as a suspension without pay or lesser degrees of punishment.

The vote to discharge shall be by a two-thirds vote of all members of the Joint Operating Committee. A vote to provide a degree of punishment less than a discharge shall be by a majority of the quorum present at a meeting at which such vote is to be taken.

Section: Administrative Employees
Title: Outside Activities
Adopted: January 24, 2007

319. OUTSIDE ACTIVITIES

The Western Area Career & Technology Center Joint Operating Committee authorizes the Director to ensure that activities, actions and/or events conducted by Western Area Career & Technology Center administrative personnel do not conflict with the interests of the Western Area Career & Technology Center organization.

The following guidelines are provided for the information and direction of administrators:

- Do not utilize school material for personal gain. Copyrights to materials or equipment developed, processed, or tested by school employees in the performance of school activities in fulfillment of the terms of their employment, reside with and may be claimed by the school.
- Western Area Career & Technology Center administrators may seek permission from the Joint Operating Committee to develop and/or test education materials. However, permission to do so is at the discretion of the Western Area Career & Technology Center Joint Operating Committee.
- Do not use school property or school time to solicit or accept customers for private enterprises.
- Do not campaign on school property in behalf of any candidate for local, state, or national office.
- Do not use school time for outside activities when there is no valid reason to be excused from assigned duties.
- Refrain from making public statements that promote private associations or interests during school hours, events and/or activities, if such remarks are likely to violate community standards of propriety.

WACTC

Western Area Career & Technology Center

Section: Administrative Employees
Title: Freedom of Speech in Non-Instructional Settings
Adopted: January 24, 2007

320. FREEDOM OF SPEECH IN NON-INSTRUCTIONAL SETTINGS

The Western Area Career & Technology Center Joint Operating Committee acknowledges the right of its employees as citizens in a democratic society, to speak out on issues of public concern. When those issues are related to the school system and its programs, however, the employee's freedom of expression must be balanced against the interests of the school.

Administrative personnel engaging in activities, events and/or discussions that are libelous, damaging and/or disruptive to the safe, daily, normal operation of the Western Area Career & Technology Center or which are outside acceptable parameters established by local, state and federal guidelines may be subject to disciplinary action. Such disciplinary action will be administered in a manner consistent with established Western Area Career & Technology Center policy.

Western Area Career & Technology Center

Section: Administrative Employees
Title: Political Activities
Adopted: January 24, 2007

321. POLITICAL ACTIVITIES

The Western Area Career & Technology Center Joint Operating Committee recognizes and encourages the right of its employees, as citizens, to engage in political activity. However, school property and school time, paid for by all the people, may not be used for political purposes.

The Joint Operating Committee adopts the following guidelines for those administrative staff members who intend to engage in political activities:

- No employee shall engage in political activities upon property under the jurisdiction of the Joint Operating Committee unless permission has been granted for that purpose through the "Use of Facilities" policy of the Joint Operating Committee.
- Political circulars or petitions may not be posted or distributed in school.
- The collection of campaign funds and/or the solicitation for campaign workers is prohibited on school property.

School employees who hold elective or appointive office are not entitled to time off from their school duties for reasons incident to such offices, except as such time may qualify under the leave policies of the Joint Operating Committee.

The following situations are exempt from the provisions of this policy:

- The discussion and study of politics and political issues, when such discussion and study are appropriate to classroom studies, such as history, current events, and political science;
- The conduct of student elections and campaigning connected therewith;
- The conduct of employee representative elections.

Violation of any of the foregoing rules shall, at the discretion of the Joint Operating Committee, constitute cause for reprimand, penalty or dismissal.

Section: Administrative Employees
Title: Personnel Files
Adopted: January 24, 2007

324. PERSONNEL FILES

It is necessary for the orderly operation of the school to maintain a file for the retention of all papers bearing upon an individual's duties and responsibilities as an employee of the school. The Western Area Career & Technology Center Joint Operating Committee requires that sufficient records be maintained to ensure an employee's qualifications for the job held, compliance with federal and state statutes, local benefit programs, and conformance with school rules and evidence of completed evaluations. The Joint Operating Committee delegates the establishment and maintenance of official personnel records to the Director.

The Director will oversee a comprehensive and efficient system of personnel records under the following guidelines:

1. A personnel folder for each employee will be accurately maintained in the administration office.
2. In addition to the application for employment and references, such folders shall contain records and information relative to compensation, payroll deductions, evaluations, and such other information as may be considered pertinent.
3. All personnel records of individual employees of the Board will be considered confidential. They will not be open for public inspection. The Director and designees shall take the necessary steps to safeguard against unauthorized use of all confidential material.
4. Each employee will have the right, upon request, to review the contents of his/her own personnel file, with the exception of pre-employment information, references, and recommendations.
5. Lists of employees' names and addresses shall be released only as required for official reports.

Any employee shall have the right to request an appointment to review the contents of his/her personnel file excluding all information compiled prior to the official date on which the employee was hired. Such appointment shall be granted within a reasonable amount of time.

No material derogatory to an employee's conduct, service, character or personality shall be placed in his/her personnel file unless the employee shall acknowledge that s/he has had the opportunity to review such material by affixing his/her signature and the date to the copy to be filed with the express understanding that such signature in no way indicates agreement with the contents thereof. The employee shall also have the right to submit a written answer to such material, and his/her answer shall be reviewed by the Director or his/her designee and attached to the file.



Western Area Career & Technology Center

Section: Employees
Title: Overtime
Adopted: November 20, 2019

330. OVERTIME

In order to ensure consistent treatment of all affected employees and compliance with applicable federal law regarding payment of overtime, the Joint Operating Committee adopts this policy.

In accordance with federal law and this policy, applicable collective bargaining agreement, or individual contract, overtime shall be paid for work in excess of forty (40) hours in a workweek for each classification of support employees.

No overtime shall be scheduled or worked without prior approval of the administration. Should the need arise, and no employee is willing to work extra or vacant shifts, mandatory overtime may be assigned by the administration.

Nonexempt employees are entitled to receive one and one-half times (1-1/2) their regular hourly rate of pay for time worked in excess of forty (40) hours in any workweek.

Paid and unpaid absences including but not limited to accrued time off, holiday leave, sick leave, vacations, FMLA, military leave, jury duty, bereavement leave, etc., are not counted as time worked for the purposes of computing overtime. For purposes of computing overtime, credit shall be given only for hours worked, as recorded in Western Area CTC records and provided by law.

Exempt employees are paid a salary for the performance of their work and are not eligible for compensatory time off or overtime pay for any time worked in excess of their standard workweek.

29 U.S. Code § 207
29 CFR § 553.23
29 CFR § 553.25

Section: Administrative Employees
Title: Professional Growth Guidelines
Adopted: October 27, 1999
Updated: September 26, 2018
Updated: January 23, 2019

333. PROFESSIONAL GROWTH GUIDELINES

Continued professional study and in-service training are prerequisites for continued professional growth and advanced ability to undertake increased responsibility. Therefore, these guidelines are established for all administrative and professional personnel.

All administrators and professional employees are encouraged through graduate study, special study, or in-service training to further their professional advancement in accordance with these guidelines.

- Individuals must submit a written request to the Director specifying the course of study the individual chooses to participate. This request must be approved before any reimbursement can be applied for.
- Payment for credit for approved graduate study or special study will be made in October and May.
- Documentary evidence of satisfactory completion of all study programs will be required before reimbursements are processed.
- Employees who have received credit reimbursement payment from the Western Area Career & Technology Center agree to work at least two (2) years for the Western Area Career & Technology Center from the final credit reimbursement payment date. If the employee is furloughed, retires through PSERS, and/or resigns for health reasons, the provision to work for at least two (2) years for the Western Area Career & Technology Center from the final credit reimbursement payment date will be null and void.

Professional Meetings and Conferences

Professional personnel of the Western Area Career & Technology Center are encouraged to actively participate at such meetings and conferences as may assist the individual to grow in service to the Western Area Career & Technology Center.

Requests to attend such meetings and conferences should be made to the Director. Approval of attendance at meetings and conferences will occur prior to the meeting or conference and will take into consideration the following factors:

- Value of the meeting or conference to the Western Area Career & Technology Center generally;
- Value of the meeting or conference to the performance growth of the individual;
- Participation of the individual in the meeting or conference (an officer, discussion leader, program chairperson, speaker, etc.);
- Length of absence from regular school duty;
- Cost to the Western Area Career & Technology Center in time and travel, and the relationship to budgetary limits;
- Possible conflicts or problems anticipated or arising as a result of the absence from regular school duty;
- Number of meetings and/or conferences requested by the individual;
- Number of persons requesting attendance of the same or other meetings and/or conferences.

Individuals attending professional meetings and conferences will be reimbursed on the following basis with no deduction in salary made:

- A. When the school requests the employee to attend a professional meeting or conference, all meeting or conference expenses will be reimbursed.
- B. When an employee is requested by the Joint Operating Committee to sponsor a group of pupils on a trip, meeting or conference, all trip, meeting or conference expenses will be reimbursed.
- C. When an organization to which a staff member belongs requests that the member attend a meeting or conference, no deduction will be made in salary. Expenses incurred will be borne by the organization or the individual.

Conference Attendance

- A. Attendance for activities of one (1) day will be approved in advance by the Director. Requests for two (2) or more days (with an overnight stay) or which involve expensive travel must be submitted to the Joint Operating Committee for approval.
- B. All requests are to be submitted in writing to the Director on a Conference Request form. Requests requiring Joint Operating Committee approval will be submitted with the monthly Joint Operating Committee report.
- C. Requests will include place, purpose, and estimated cost of attendance.
- D. Only expenses actually incurred going to, attending, and returning from the place of such activities will be reimbursable. These may include transportation, lodging, meals, registration fee, parking, tolls, and other necessary expenses. A Travel Expense Voucher obtained from the Business Office must be submitted with receipts for reimbursement within ten (10) working days after return.
- E. Reasonable expense planning will be followed:
 - Coach fare for air, rail, or bus travel
 - When applicable, rental vehicles will be utilized
 - A food allowance limit per day or per meal, whichever is applicable
 - Mileage reimbursement will be at the current Internal Revenue Service reimbursement rate
- F. The staff, whenever possible, is requested to share both travel and lodging expenses. All staff is encouraged to be frugal with conference money, thus permitting other staff the opportunity to attend conferences.

In all cases possible, payments for registration, travel, and accommodations will be made directly by the Business Office. The individual requesting to attend the conference and/or meeting will be responsible for making his or her own lodging accommodations, registration information, and travel arrangements. Requests for advance payments must be submitted to the Business Office on a Purchase Request form.

Requests for attendance at conferences requiring Joint Operating Committee approval will be limited to two (2) Joint Operating Committee members and/or two (2) staff members for any one activity.

A short report detailing highlights of the trip must accompany the request for reimbursement.

Conference ExpensesA. Food

Reimbursement will be made up to a maximum rate of \$50 including gratuities. Receipts must be submitted regardless of the amount spent on each meal. If an individual is attending a conference or meeting, and meals are provided and been paid for with the registration, no reimbursement will be made for any meals outside of those being provided during the conference or meeting.

B. Lodging

Reimbursement will be made only at the single accommodation rate unless a room is shared at the double accommodation rate with another conference attendee. If any employee is accompanied by a spouse/guest on a trip, the employee is responsible for all expenses incurred on behalf of the spouse/guest. Western Area Career & Technology Center will pay for the accommodations of the employee on a single room rate basis and the difference between the double room rate and single room rate will be incurred by the employee.

C. Telephone Calls

Reimbursement will be made for business phone calls. Personal calls will not be reimbursed. The employee must clearly indicate on the receipt the nature of the call and to whom the call was made.

D. Workshop Material

The Executive Director may grant reimbursement for educational materials obtained at conferences and/or meetings. Such materials become the property of the Western Area Career & Technology Center.

E. Distance Travel

When employees choose to travel to conferences in excess of 1000 miles from Pittsburgh, conference costs which exceed \$1,000 shall be paid by the employee. This rate shall be increased by the Joint Operating Committee as appropriate.

Section: Administrative Employees
Title: Leave
Adopted: April 22, 1981
Revised: September 22, 2010

334. LEAVE

The Leave Policy for administrative employees will ensure that such employees will receive no less than the minimum leave provided under law for professional employees. Such policy shall be in accordance with the following guidelines, which may be superseded by individual contract or Act 93 agreement.

Sick Leave

The school will provide up to twelve (12) days annually for sick leave of which all shall be cumulative. Vacation, personal, bereavement and emergency days and sabbatical leave shall be consistent with the PA School Code.

The Western Area Career & Technology Center Joint Operating Committee reserves the right to require of any administrator claiming sick leave pay sufficient proof, including a physician's certification, of the employee's illness or disability. The Joint Operating Committee shall consider the application of any eligible administrator for an extension of sick leave, pursuant to law where applicable, when the employee's own accumulated sick leave is exhausted.

The misuse of sick leave shall be considered a serious infraction subject to disciplinary action.

Personal Necessity Leave

Administrative personnel on 12-month contracts will receive two (2) personal necessity days annually.

Vacation

Administrative personnel on 12-month contracts will receive twenty (20) working days' vacation annually. Ten days may be carried over to the following year if unused but must be used by December 31.

Sabbatical Leave

The Joint Operating Committee may grant requests for sabbatical leave by Western Area Career & Technology Center administrative personnel when such requests fall within the parameters established by the PA School Code.

Uncompensated Leave

The Joint Operating Committee recognizes that in certain instances an employee may request extended leave for personal reasons and the school could benefit from the return of said employee. The Joint Operating Committee reserves the right to specify the conditions under which uncompensated leave may be taken.

The following conditions shall be a part of this policy:

Eligibility – A sick leave shall commence when the administrator or agent, if the administrator is sufficiently disabled, reports the absence. A sick leave day, once commenced, may be reinstated as a working day only with the approval of the Director or designee.

Whatever the claims of disability, no day of absence shall be considered to be a sick leave day on which the employee has engaged in or prepared for other gainful employment, or has engaged in any activity which would raise doubts regarding the validity of the sick leave request.

Proof of Disability – An administrator absent on sick leave may be required to submit a physician's written statement certifying his/her disability. Such statements may not be presumed to establish the administrator's disability conclusively.

Duration of Leave – Upon the expiration of all currently earned and accumulated sick leave, the Joint Operating Committee may grant unpaid leave for the remainder of the school year or to the end of the administrator's contract period, whichever comes first.

Records – The personnel records of the school for administrators shall show the attendance of each employee, and such days as that administrator may be absent shall be recorded with the reason for such absence noted. A record shall be made of the unused sick leave days accumulated by each administrator, which shall be made available to the employee in accordance with law.

Section: Administrative Employees
Title: Family and Medical Leave
Adopted: September 28, 1994
Reviewed: January 24, 2007

334.1. FAMILY AND MEDICAL LEAVE

FMLA Leave Entitlement

Employees who have worked for the Western Area Career & Technology Center for a total of twelve (12) months and have worked at least 1250 hours during the 12-month period preceding the commencement of the leave period shall be eligible for a total of up to 12 weeks of unpaid family and medical leave ("FMLA leave") per year for the following:

- a) Birth of the employee's child
- b) Placement of a child with the employee for adoption or foster care
- c) When the employee is needed to care for a child, spouse, or parent with a serious health condition
- d) When the employee is unable to perform the functions of his or her position because of a serious health condition

Definitions

- a) The 12-month period in which the twelve weeks of leave entitlement occurs shall be measured forward from the date any employee's first FMLA leave begins.
- b) The term child means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in *loco parentis*, who is (1) under 18 years of age, or (2) 18 years of age or older and incapable of self-care due to mental or physical disability.
- c) The term parent means the biological parent of an employee or an individual who stood in *loco parentis* to an employee when the employee was a child. The term does not include a parent-in-law.
- d) The term serious health condition means an illness, injury, impairment, or physical or mental condition that involves (1) inpatient care in a hospital, hospice, or residential facility, or (2) continuing treatment by a health care provider.
- e) The term health care provider means (1) a doctor of medicine or osteopathy authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices, or (2) any other person determined by the United States Secretary of Labor to be capable of providing health care services.

Leave for Birth, Adoption, or Foster Care Placement

The entitlement to leave under subparagraphs 1(a) and 1(b) for a birth, adoption or placement of a child shall expire at the end of the 12-month period beginning on the date of such birth or placement.

Intermittent Leave

Intermittent leave will be provided where medically necessary pursuant to subparagraphs 1(c) and 1(d) above. If intermittent leave is requested, Western Area Career & Technology Center may require the employee to transfer temporarily to an equivalent, alternative position which better accommodates recurring periods of absence or a part-time schedule.

Substitution of Paid Leave

FMLA leave is unpaid leave, as provided in this policy. If an employee requests leave because of their own serious health condition, any accrued paid vacation, personal leave and/or sick leave will first be substituted for an unpaid family/medical leave.

If an employee requests leave because of a birth, adoption, foster care placement of a child, or to care for a covered relative with a serious health condition, any accrued paid vacation and/or personal leave will first be substituted for any unpaid family/medical leave.

The substitution of paid leave time for unpaid leave time does not extend the 12-week FMLA leave period.

Dually Employed Spouses

In the event that spouses are employed by the school, the aggregate number of weeks of leave to which both are entitled is limited to twelve weeks if such leave is taken for the birth of a child, the placement of a child with the employees for adoption or foster care, or for the care of a sick parent with a serious health condition.

Notice of Leave

In any case in which the necessity for FMLA leave is foreseeable based on an expected birth or placement of a child, the employee shall provide the Western Area Career & Technology Center with not less than thirty (30) days notice before the date the leave is to begin, of the employee's intention to take FMLA leave, except that if the date of the birth or placement requires leave to begin in less than thirty (30) days, the employee shall provide such notice as is practicable.

In any case in which the necessity for FMLA leave is foreseeable based upon planned medical treatment required by a serious health condition of the employee or his/her spouse, child or parent, the employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the Western Area Career & Technology Center, subject to the approval of the health care provider of the employee or his/her spouse, child or parent, as appropriate; and the

employee shall provide the Western Area Career & Technology Center not less than thirty (30) days notice, before the date the leave is to begin, of the employee's intention to take such leave, except that if the date of the treatment requires leave to begin in less than thirty (30) days, the employee shall provide such notice as is practicable.

Failure to provide notice as herein required may be grounds for delay of leave. Where the need for leave is not foreseeable, employees are expected to notify Western Area Career & Technology Center at least within one (1) to two (2) business days of learning of the need for leave, except in extraordinary circumstances.

Medical Certification

Western Area Career & Technology Center may require medical certification and second opinions by health care providers in accordance with the Family and Medical Leave Act.

Health Care Benefits

During the period of FMLA leave, Western Area Career & Technology Center will maintain the same group health care benefits provided to the employee prior to taking FMLA leave. The Western Area Career & Technology Center shall have no obligation to maintain other benefits except that the taking of FMLA leave shall not result in the loss of any benefits accrued by the employee prior to the date on which the leave commenced. Although the taking of FMLA leave shall not result in the loss of any benefits accrued by the employee prior to the date on which the leave commenced, benefit entitlements based upon length of service will be calculated as of the last paid workday prior to the start of FMLA leave and will not accrue during the period of FMLA leave except to the extent required by applicable federal or state law.

As used herein, group health care benefits include any hospitalization, major medical, vision or dental insurance provided to the employee prior to the FMLA leave. Group health care benefits do not include life insurance, disability or income protection insurance, or other insurance presently or hereafter provided by Western Area Career & Technology Center, although the employee may maintain any such insurance for which he or she was eligible prior to the FMLA leave during the period of his/her FMLA leave by remitting the premiums for such insurance to the Western Area Career & Technology Center at least five (5) business days in advance of the premium payment due date.

Reporting While on Leave

If employees take leave because of their own serious health condition or to care for a covered relation, the employee must contact Western Area Career & Technology Center, through the Business Coordinator, on the first and third Tuesday of each month regarding the status of the condition and their intention to return to work.

Return From Leave

Upon completion of leave, an employee is entitled to be restored to the same or an equivalent position held by the employee when the leave commenced. An employee shall be entitled to such reinstatement only if and to the extent that the employee would have retained such a position had the FMLA leave not been taken. In the event the employee fails to return to work, Western Area Career & Technology Center shall be entitled to recover the amount expended on benefits during any unpaid period of an FMLA leave unless the reason the employee does not return is due to the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the employee's control.

Intermittent Leave or Leave on a Reduced Schedule

Subject to compliance with the notice requirements hereinabove provided, in any case in which the necessity for FMLA leave is foreseeable based upon planned medical treatment required by a serious health condition of an employee principally in an instructional capacity or his/her spouse, child or parent, and the employee would be on leave for greater than 20 percent of the total number of working days in the period during which the leave would extend, the Western Area Career & Technology Center may require such employee to either elect:

- a) To take leave for periods of a particular duration not to exceed the duration of the planned medical treatment; or
- b) To transfer temporarily to an available alternative position offered by the Western Area Career & Technology Center for which the employee is qualified and that (1) has equivalent pay and benefits; and (2) better accommodates recurring periods of leave than the regular employment position of the employee.

Instructional Employees – Periods Near the Conclusion of an Academic Term

The following rules apply with respect to periods of leave near the conclusion of an academic term in the case of any eligible employee employed principally in an instructional capacity:

- a) Leave More Than 5 Weeks Prior to End of Term. If the eligible employee begins FMLA leave more than 5 weeks prior to the end of the academic term, the Western Area Career & Technology Center may require the employee to continue taking leave until the end of such term if (1) the leave is of at least 3 weeks in duration; and (2) the return to employment would occur during the 3-week period before the end of such term.
- b) Leave Less Than 5 Weeks Prior to End of Term. If the eligible employee begins FMLA leave for reasons other than his/her own serious health condition during the period that commences 5 weeks prior to the end of the academic year, the Western Area Career & Technology Center may require the employee to continue taking leave until the end of such term if (1) the leave is of greater than 2 weeks duration; and (2) the return to employment would occur during the 2-week period before the end of such term.

- c) Leave Less Than 3 Weeks Prior to End of Term. If the eligible employee begins FMLA leave for reasons other than his/her own serious health condition during the period that commences 3 weeks prior to the end of the academic term, and the duration of the leave is greater than 5 working days, the Western Area Career & Technology Center may require the employee to continue to take such leave until the end of such term.

Pregnancy Disability Leave Policy

1. Pregnancy disability leave is applicable to that period during which an employee is physically incapacitated, due to pregnancy, childbirth and/or recovery therefrom, of performing her duties.
2. The beginning date for a pregnancy disability leave shall be determined jointly by the employee's physician and the employee upon the employee's physician's certification of disability with a written notification to the Western Area Career & Technology Center of the beginning date of the leave. The employee shall notify the Western Area Career & Technology Center of her pregnancy as promptly as practical so that staffing can be secured. The Western Area Career & Technology Center shall retain the authority to have the employee examined by its physician to determine disability.
3. The pregnancy disability leave shall be for an unpaid leave of at least eight (8) weeks. If in the event that the employee's disability continues for some reason related to pregnancy or childbirth, the unpaid leave of absence may be extended upon proper written, medical certification for up to twelve (12) months from the beginning date of the leave, inclusive of any sick leave, personal leave, accrued vacation or leave granted pursuant to the Family and Medical Leave Act. If the employee wishes to return to work prior to the expiration of the pregnancy disability leave and her physician or the Western Area Career & Technology Center's physician certifies her ability to assume her duties, she may do so. The employee, when returning to her employment prior to the expiration of the pregnancy disability leave, shall notify the Western Area Career & Technology Center at least thirty (30) days prior to her returning to work.
4. Notwithstanding the foregoing, during the period of pregnancy disability leave, employees may use accumulated sick leave, personal leave, and vacation time. Sick leave may be taken prior to or subsequent to the birth of the child only in the case of physical incapacity or illness which must be verified by a sufficiently detailed doctor's statement stating, at least, when such disability commenced, the probable duration of the disability, the appropriate medical facts regarding the disability and a statement of the planned medical treatment.
5. Except for that period covered by sick leave, personal leave and/or accrued vacation, during the period of the pregnancy disability leave, the employee shall receive no salary, retirement benefits or credit for seniority. During that period covered by sick leave, personal leave and/or accrued vacation, the Western Area Career & Technology Center will maintain all insurance benefits for which the employee is eligible. During that period covered by Family and Medical Leave Act, insurance coverage will be maintained in accordance with such statute and the Western Area Career & Technology Center's Family and Medical Leave Act policy. Except as hereinabove

provided, during the period of pregnancy disability leave, the Western Area Career & Technology Center will not be obligated to provide or to maintain insurance coverage, although such coverage may be maintained during such leave at the employee's expense by remittance of the premiums for such insurance to the Western Area Career & Technology Center at leave five (5) business days in advance of the premium payment due date.

6. The employee returning from pregnancy disability leave as set forth above shall be returned to the same or equivalent position she occupied prior to the leave. An employee shall be entitled to a position with the Western Area Career & Technology Center following a leave only if the employee would have retained such a position had the leave of absence not been taken.
7. Pregnancy disability leave shall be subject to change only by mutual agreement between the employee and the Western Area Career & Technology Center in a written statement signed by the Director.

Section: Administrative Employees
Title: Jury Duty
Adopted: January 24, 2007

342. JURY DUTY

The Western Area Career & Technology Center believes that regularly scheduled professional employees should be protected against loss of pay occasioned by jury duty.

Should a regularly scheduled employee be called for jury duty, s/he shall report same to the appropriate administrator.

Employees called for jury duty shall normally be permitted to serve and will not be penalized in any way for doing so. They shall receive normal pay for the period of jury duty, but any compensation received from such duty that is in excess of actual expenses shall be credited against such pay.

While on jury duty, employees shall report their schedule for the following day to the building Supervisor.

Time spent on jury duty will not be charged against personal leave and will count as time on the job.

Employees must submit to the Supervisor official documentation of the number of days served.

The Joint Operating Committee reserves the right to request the Court to release and relieve any employee from jury duty.

Section: Administrative Employees
Title: Controlled Substance Abuse
Adopted: June 12, 2024

351. CONTROLLED SUBSTANCE ABUSE

Purpose

The Joint Operating Committee recognizes that the misuse of **controlled substances** by administrative, professional and support employees is a serious problem with legal, physical and social implications for the whole school community and is concerned about the problems that may be caused by **controlled substance abuse** by employees, especially as it relates to an employee's safety, efficiency and productivity.

The primary purpose and justification for any WACTC action will be for the protection of the health, safety and welfare of students, staff and WACTC property.

Definitions

Controlled Substances – shall be defined as those outlined in the Controlled Substance, Drug, Device and Cosmetic Act. [1]

Conviction – for purposes of this policy, is defined as a finding of guilt, including a plea of nolo contendere, an imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of federal or state criminal drug statutes. [2]

Criminal Drug Statute - a federal or state criminal statute involving the manufacture, distribution, dispensation, use or possession of a controlled substance. [2]

Drug-free Workplace - the site for the performance of work at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance. [2]

Authority

The Joint Operating Committee requires that each administrative, professional and support employee be given notification that, as a condition of employment, the employee will abide by the terms of this policy and notify the WACTC of any criminal drug statute conviction for a violation occurring in the workplace immediately, but no later than seventy-two (72) hours, after such conviction. [3] [4]

Any employee convicted of delivery of a controlled substance or convicted of possession of a controlled substance with the intent to deliver or convicted of an offense defined as a felony under the Controlled Substance, Drug, Device and Cosmetic Act, shall be terminated from employment with the WACTC, in accordance with applicable law, regulations and Joint Operating Committee policy. [1] [3] [5] [6]

Delegation of Responsibility

A statement notifying employees that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the employee's workplace shall be provided by the Executive Director and shall specify the actions that will be taken against the employee for violation of this policy, up to and including termination and referral for prosecution. [4] [7]

Within ten (10) days after receiving notice of the conviction of an employee, the WACTC shall notify any federal agency or department that is the grantor of funds to the WACTC. [4]

The WACTC shall take appropriate personnel action within thirty (30) days of receiving notice against any convicted employee, up to and including termination, or require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency. [4] [6] [7]

In establishing a drug-free workplace awareness program, the Executive Director shall inform employees about: [4]

1. Dangers of drug abuse in the workplace.
2. Joint Operating Committee's policy of maintaining a drug-free workplace.
3. Availability of drug counseling, drug rehabilitation and employee assistance programs.
4. Penalties that may be imposed for drug abuse violations occurring in the workplace.

The WACTC shall make a good faith effort to continue to maintain a drug-free workplace through implementation of this policy. [4]

Guidelines

The Executive Director or designee shall immediately report incidents involving the **prohibited** possession, use or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act by any employee while on WACTC property, at any WACTC-sponsored activity or on a conveyance providing transportation to or from a WACTC or WACTC-sponsored activity to the law enforcement agency that has jurisdiction over the center's (school's) property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with law enforcement and Joint Operating Committee policies. [8] [9] [10] [11] [12] [13]

In accordance with state law, the Executive Director shall annually, by July 31, report all incidents of prohibited possession, use or sale of controlled substances or drug paraphernalia to the PA Department of Education on the required form. [8] [9] [13]

Legal References

1. 35 P.S. 780-101 et seq
 2. 41 U.S.C. 8101
 3. 24 P.S. 111
 4. 41 U.S.C. 8103
 5. 24 P.S. 527
 6. Pol. 317
 7. 41 U.S.C. 8104
 8. 24 P.S. 1306.2-B
 9. 24 P.S. 1319-B
 10. 22 PA Code 10.2
 11. 22 PA Code 10.21
 12. 35 P.S. 780-102
 13. Pol. 805.1
- 41 U.S.C. 8101 et seq
Pol. 810.1
Pol. 810.3

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