

ERIE COUNTY TECHNICAL SCHOOL

PROPOSED AGENDA ITEM

DATE: March 22, 2007

SUBJECT: Suzanne Matthews, Disability leave

CATEGORY: Operations: Policy: Information: Personnel: X

INITIATED BY: Natalie Fatica, Coordinator of Human and Quality Resources

DESCRIPTION:

Suzanne Matthews, Art and Design Instructor, has requested a disability leave of absence without pay per the Professional Unit bargaining contract Article VI, Section 17. The leave commences on April 3, 2007 (see attached letter).

RECOMMENDATION:

Motion to grant Suzanne Matthews a disability leave of absence without pay in accordance with the Professional Unit bargaining contract Article VI- Section 17- Disability Leave effective April 3, 2007.

March 15, 2007

ECTS Operating Committee
Att: Paul Fritz, Secretary

Dear Committee Members:

I am requesting a leave of absence from my teaching position, without pay, in order to resolve medical issues surrounding back surgery. A letter from my physician was submitted to both Mr. Hansen and Mrs. Fatica prior to surgery, on September 22, 2006. I am also having my surgeon's office draft a letter to Mr. Fritz, explaining that I am to see my surgeon on April 2nd, at which time he will be able to make a more definitive determination as to the anticipated time when I will be returning to work.

I also wish to continue paying for my insurance, under COBRA health benefits. To that end, I have sent a check to Mr. Fritz in the amount specified to me by Mrs. Fatica. I also request that my disability insurance continue, as specified in our contract.

Thank you for your kind consideration in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Suzanne Matthews".

Suzanne Matthews

1. Must be on the current suspended list of the Erie County Technical School.
2. Must have a minimum of five (5) years service to the Erie County Technical School.
3. Suspension due to reduction of staff.

Participants must sign and comply with the provision and conditions of the Group Insurance Participation Agreement adopted by the AVTS Committee.

Article VI: Section 16 - Family Leave:

The federal legislation guidelines shall be the criteria used to define Family Leave; establish eligibility; set parameters; and assurances of position entitlement upon completion of the leave.

Article VI: Section 17 - Disability Leave:

An employee who is unable to work because of illness or injury whether or not work-related and who has exhausted all sick and personal days and FMLA leave available shall be granted a leave of absence without pay upon written application to the Operating Committee. The application will contain the reason for the leave, a doctor's certification, and the expected return-to-work date. The duration of the disability leave will be no greater than would allow the employee to be absent from work for two years, taking into account the sick and personal days and FMLA leave that already have been used. Before being returned to work, the employee must undergo a return-to-work physical examination conducted by a physician selected by

the Committee certifying that he or she is able to perform the functions of his or her position.

During the disability leave insurance benefits will not be maintained and the employees will not earn additional sick leave or personal days, but seniority shall accrue. Requests for an extension of disability leave beyond this two-year period may be made, but are at the discretion of the Operating Committee. Failure to return to work at the expiration of the leave shall result in the employee's dismissal in accordance with the School Code.

Article VI: Section 18 - Parental/Child-Rearing Leave:

Employee requests for parental/child rearing leave of up to three (3) months shall be granted without pay upon written application to the Director. Insurance benefits will not be maintained during such leave, unless the leave is FMLA-qualifying. In that event, insurance benefits will be maintained in accordance with the FMLA for the number of days of FMLA leave the employee has remaining. Seniority will accrue during this leave, but the employee will not earn additional sick leave or personal days. Requests for an extension of leave beyond three (3) months may be made, but are at the discretion of the Operating Committee. Failure to return to work at the expiration of the leave shall result in the employee's dismissal in accordance with the School Code.