

OTHER PROTECTED LEAVES

Crime Victim Employment Leave

An employee of the New Boston School District who is a victim of a crime as defined by RSA 275:61, shall be permitted to request unpaid leave so that the employee may attend court or other legal or investigative proceedings associated with the prosecution of the crime. The employee may elect to use accrued personal or vacation time for the purpose of such leave. The employee shall provide the School District with a copy of the agency notice that supports the request for leave.

Jury Duty

If it is necessary for any employee of the School District to serve as a juror or as a witness, he/she shall receive the difference between the court allowance and his/her regular earnings for the duration of the legal obligation.

Leave Authorized in a State of Emergency

When the governor or the general court declare a state of emergency, a member of a fire department, rescue squad, or emergency medical services agency who is called into service of the state of a political subdivision shall have the right to take leave without pay from the School District to respond to the emergency. The employee may choose to use accrued personal or vacation time for the period of emergency service. The employee shall provide the School District with the written request for service.

Military Leave

An employee will be eligible for all considerations of military leave in accordance with applicable state statutes and the federal Uniformed Services Employment and Reemployment Rights Act (USERRA). Uniformed Services consists of: Army, Navy, Air Force, Coast Guard, Marine Corps, all Reserves of the same, Army National Guard, Air National Guard, State National Guard, and any other category of persons designated by the President of the United States in time of war or emergency.

The employee must provide to the Superintendent, or their designee, advance written notice, except in cases of emergency assignment or other conditions that make notice impossible or unreasonable. The employee must provide written documentation identifying the military command, including dates and duration in order for the Superintendent to verify the request.

Any employee with a temporary military leave requirement of less than one week, will have their pay offset by any military pay amounts received. The employee must provide the Superintendent with documentation of such pay and written authorization to make the corresponding deduction from the employee's regular pay in the next payroll period. Alternatively, the employee may sign the military pay over to the School District to offset the regular pay received.

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(continued)

Applicable state law and applicable provisions of the USERRA will govern any employee's re-employment with the School District. Notwithstanding those provisions, the School District may still exercise its rights under RSA 189:14-a.

Pregnancy Leave

The School District will permit a female employee to take a leave of absence for the period of temporary physical disability resulting from pregnancy, childbirth or related medical conditions. When the employee is physically able to return to work, they will be restored to the same or a comparable position in accordance with RSA 354-A:7. An employee will be required to use accrued sick time during any absences related to the temporary physical disability.

Legal Reference:

New Hampshire Statutes Section 500-A:14 and 500-A:15
NH RSA 275:66 Leave Authorized in a State of Emergency
NH RSA 354-A:7 Equal Employment Opportunity
NH RSA 275:61 through 69 Crime Victim Employment Leave Act
38 U.S.C. §4301 et seq., *Uniformed Services Employment and Reemployment Rights Act*
RSA 110-C, National Guard; Rights and Protections
RSA 112, Public Officers or Employees; Military Leave

Proposed: 06/11/03
Adopted: 07/23/03
Proposed: 02/04/2020
Adopted: 02/19/2020

NHSBA Review: 01/23/14
PRC Reviewed: 01/24/18