

Two Lies and a Truth HR Academy 2020

1A. Desperately Seeking Susan (truth)

Hi! My name is Susan McShaw. I work at Mountain Trail High School as a Calculus and Statistics Teacher. Substitutes have been hard to find during the pandemic and even if we were to find one, my content is extremely difficult to teach. I woke up yesterday morning not feeling well (headache, sore throat, and a low-grade fever). I reported my symptoms to my school district. I am getting a COVID-19 test this afternoon. My principal refused my request for FFCRA and said if I am able to get out of bed, I am able to teach remotely. He said he will get someone to monitor my students in the classroom, but these students cannot afford to miss any of my instruction.

How to handle:

- Train principals and provide an overview of types of leave and employee entitlements.
- Direct principals to consult with HR to ensure leave is administered appropriately.
- Avoid messages that force or imply an employee is required to work when feeling ill.
- Apply EPSL when an employee is having symptoms and seeking a medical diagnosis; non-discretionary personal may also apply.
- Consider referring principal to EAP or other resources because it sounds like he's stressed.

1B. Risky Business (lie)

Hello! My name is Joel. I am a groundskeeper at Shooting Star ISD. My wife is the "President" of our landscaping business. She was awarded a contract with the district to maintain the district ag facility. I worked on a crew last weekend because we were down a worker and was chatting with the ag teacher. Now I've been called into the admin building to meet with the operations director. They are saying something about violating wage and hour law. What's going on? I don't see how working for my wife is a conflict.

1C. Sixteen Candles (lie)

My name is Jim, and I am a computer technician at Willow Lake ISD. I have requested EFML because my daughter Samantha's school is closed for the next two weeks. The district asked for Samantha's age and then denied my leave because she is sixteen. What difference does her age make? Why should I have to explain why my sixteen-year-old needs supervision? I just want to take my 10 days before they expire in December.

2A. Raiders of the Lost Ark (lie)

Indie Jones here! I'm a high school geography teacher at Spielberg High School, and I have the opportunity of a lifetime. My archaeology club is going on a month-long expedition in March 2021 to study the Pyramids. Between Spring Break and the 20 days of state personal leave I've accrued, I have enough time to cover my absence. I submitted a leave request to my principal and explained how

important the trip is, but she denied the leave. I haven't used any leave for the last four years and now when I need it, I can't use it. Can I call in sick instead and still take the trip?

2B. The Right Stuff (lie)

Hey there! My name is Chuck. I coach and teach Social Studies at Rolling Stream Middle School. My wife is a Chemistry teacher at the same school. We're expecting our first baby in three months. She worked with the principal to set up a schedule so she can pump breast milk for the remainder of the school year. My mother is taking care of the baby while we're at work and can bring the baby to school so my wife can breastfeed. I requested breaks at the same time so we can make this family bonding time. My principal hasn't approved this plan, yet. This seems discriminatory. Should I contact HR?

2C. The Borrowers (truth)

Hey, y'all. My name is Arrietty Clock. I am an elementary teacher here at Texas Proud ISD. My husband has the flu and is expected to miss work for the next week and a half. He works for a landscaping company and does not have any paid sick leave. We can't afford for him to be off work without pay. I have 30 days of accrued leave. What do I need to do to transfer my leave to him?

How to handle:

- Expect the unexpected, be prepared—always!
- Calmly explain the ways leave can be used by the employee and that it cannot be used by non-employees.
- Explain leave donations are limited to employee to employee if district has an adopted leave program (e.g., sick leave bank or pool).
- Tell an employee that you will research the answer and get back to them if you don't know how to respond.

3A. Aliens (truth)

Hi! I am Ellen Ripley. I am a 5th grade teacher at Planet Elementary School. I am being placed on administrative leave and involuntary temporary disability leave and told I'm required to have a medical release to return to work. I am perfectly capable of teaching if I wear my foil hat and cover my classroom windows with aluminum foil. I don't understand why the district is making such a big deal out of this and will not let me just continue to teach.

How to handle:

- Be familiar with Policy DBB (LOCAL) and the ability to place an individual on leave when a physical or mental condition interferes with the ability to perform their job.
- Follow Policy DEC (LEGAL), which outlines the process for placement on involuntary temporary disability leave.
 - Paid administrative leave will apply until a health status report is received and employee is provided the appropriate hearing before the board, if requested.

- Shift the leave status to paid leave/TDL depending on outcome of hearing.
- If the district requires a second opinion, the expense is paid by the district.
- Follow return-to-work process outline in DEC (LEGAL).
- Consult with local attorney and follow procedures for termination or nonrenewal if the employee is not released at the end of TDL.

3B. Con Air (truth)

My name is Cameron Poe, and I work for Clean Ur Mess cleaning service. I have been placed at Mineral Point School District for the past six months. My favorite campus is the junior high school because I like the principal and teachers. Lucky for me, a custodian at that campus has resigned. The principal asked if I was interested in the position. Full-time, benefits, leave, retirement, it all sounds good to me. He told me he is recommending me to HR. Well, one day I think I am going to be a full-time employee and the next day I find out I don't even have my temporary job. I guess I had some stuff on my criminal record prohibiting me from being an employee or to even work at the school with the cleaning service. I am not sure what is wrong with having an involuntary manslaughter on my record.

How to handle:

- Ensure contractor conducts background check (fingerprinting) and certifies to the district the person is eligible to work in a district.
- Remember, the district is not authorized to conduct criminal history of contractors.
- Review Policy CJA and TASB School Law eSource paper, [Criminal History Reviews of Contractor Employees](#).
- Report applicant to Do Not Hire Registry.

3C. Look Who's Talking (truth)

My name is Mollie. I was so excited three months ago when I was hired as the secretary for Silver Falls High School. Last week, I called my principal and reported I needed to take a few days because of a gall bladder surgery. This worked out because I have five days of local sick leave and five days of state personal leave. I guess the school wanted to check to make sure I was okay at the start of the second week of my leave. They happen to get my mother on the phone, and she informed them that "Mom and Mikey, the new baby" are doing just fine. I would have told them, but I was afraid I would not have been offered the job. I figured ten days of leave would have been plenty for me to have a baby, recuperate, and get back to work.

How to handle:

- Counsel the employee on leave benefits and types of leave available, and ensure employee recuperates and provides medical release to return to work.
 - Remind employee fraudulent use of leave could result in disciplinary action.
- Meet with the principal to get a better understanding of situation.
- Provide training on interviewing skills, including training on unconscious bias.
- Distribute [Guidelines for Pre-Employment Interview Questions](#) from the HR Library to ensure principals and supervisors understand discrimination laws.