

**Series 3000 Personnel**

**Section 3100 General Provisions**

**Policy 3502 Assignment of Substitute Service Personnel**

**3502.1 ASSIGNMENT OF SUBSTITUTES**

The Harrison County Board of Education shall employ, and the Superintendent with the Board's approval, shall assign substitute service personnel on the basis of seniority to work:

3502.1.1 During the temporary absence of another service employees.

3502.1.2 During a leave of absence of a regular service employee. When a leave is to extend beyond thirty (30) days, the Board, within twenty (20) working days from the commencement of the leave, shall fill the position utilizing the same procedure used for employing regular service personnel. The employee appointed as substitute will be accorded all rights, privileges and benefits of a regular employee. The substitute will serve until the regular employee returns, resigns or retires.

3502.1.3 During the time a regular service employee is authorized to be absent without loss of pay.

3502.1.4 During a temporary vacancy not to exceed twenty (20) working days in a permanent position resulting from resignation, transfer, retirement, permanent disability or death. Within twenty (20) working days from commencement of the vacancy, the Board will fill the position with a regular employee.

3502.1.5 During a regular employee's suspension. When the suspension extends for more than thirty (30) working days, the substitute is given regular employment status until the regular employee returns or is terminated.

3502.1.6 During a vacancy in a newly created position prior to a regular employee's being assigned.

**3502.2 ROTATION ORDER**

3502.2.1 Substitute positions will be assigned on the basis of seniority in the following rotation order:

3502.2.1.1 First, regular service employee working in the same building or at the same work station and in the same classification category as the absent employee who has indicated in writing he/she desires to substitute, may hold the position throughout the absence or until the vacancy is filled on a regular basis.

3502.2.1.2 Second, the senior substitute in the classification category of the absent employee.

3502.2.1.3 Third, in areas identified and approved by the board of education annually as critical need or shortage for service personnel substitutes, due to multiple, documented attempts to recruit and hire in the classification, a regular employee who previously held the classification needed may volunteer in writing to the Human Resources for the purposes of being contacted to substitute on a day-to-day basis. Substitutes out of classification will only be utilized when the substitute list for that classification has been exhausted and regular employees currently working in the classification have been offered the shift and declined. For the regular employee in classification, offers will be made on a rotating basis, by seniority when the substitute shift does not conflict with the regular shift. Volunteers currently out of classification, who previously held the classification, will be called in a rotation according the seniority previously held in the classification of current shortage, when written documentation can be provided to demonstrate all substitutes in the classification have been exhausted.

Areas of critical need for 2018-2019 include:

- \* Custodian
- \* Bus Driver

### 3502.3 OBLIGATIONS

#### 3502.3.1 Employee's Obligations

Each substitute is issued a contract which represents an obligation on the part of the Board as well as the employee. The employee is obligated to accept such employment if and when offered.

#### 3502.3.2 Employer's Obligations

3502.3.2.1 The Board is obligated to offer substitute work when determined available as per the provisions of the West Virginia Code and state board policy.

### 3502.4 PROCEDURES

3502.4.1 Persons on the substitute list shall meet all necessary qualifications and be available to work when called. A log of the calls made to each substitute shall be maintained. The number of calls to each substitute and the number of, and reasons for, refusals to work shall be noted. If an employee is called and there is no answer,

the reason for not accepting employment shall be "Not Available". Should a person decline the offer to work or not be available on any five (5) offers to work, a letter shall be sent to the employee denoting dates of calls and refusals. This letter will specify that, if the employee continues to decline the offer to work, measures will be taken to remove the employee from the substitute list. Should the employee decline the opportunity to work or be unavailable to work for a total of ten (10) days, from July 1 to June 30, such refusal shall be considered as willful neglect of duty and/or insubordination and a recommendation will be made to the Board of Education, pursuant to West Virginia Code 18A-2-8, regarding termination of the substitute employee's contract and removal of the employee from the substitute list.

3502.4.2 The employee shall be contacted by certified mail of the recommendation and shall be afforded an opportunity for a hearing before the Board prior to such action. Upon completion of the hearing, the Board shall hold ultimate authority in whether or not the employee shall be terminated and, therefore, removed from the list.

3502.4.3 Should a substitute service employee find that they are experiencing unusual circumstances such as extended illness, vacation, or some other condition which renders the employee unavailable for work, the employee must contact the Personnel Office and request, in writing, that they be temporarily removed from the list. The letter must specify the specific reason for temporary removal from the list and the beginning and ending dates of unavailability for work. Upon approval by the Board, the employee will be temporarily removed from the substitute list for the time specified, up to three (3) weeks maximum period of absence. However, exceptions may be made because of medical reasons but all such exceptions shall require a doctor's excuse.

### 3502.5 SENIORITY

The seniority of a substitute shall be computed based upon the date the employee began his/her assigned duties as a substitute in a particular category of employment.

### 3502.6 SALARY

The salary of the substitute is based on his/her years of employment and the absent regular employee's salary scale.

## 3502.7 LONG TERM ASSIGNMENTS

### A. Leave of Absence

Service employees who are filling in for extra-curricular on a leave of absence approved by the board pursuant to WV Code 18A-4-15 (2) shall reserve all benefits of regular employment.

### B. Non Leave of Absence

Service employees who work in a position for longer than 30 days and which is not on board approved leave of absence shall receive rights granted pursuant to WV Code 18A-4-15 (g).

Approved by Harrison County Board of Education

Effective Date: January 13, 2004

Revised: March 21, 2017; October 2, 2018