

HUMAN RESOURCE**SICK LEAVE BANK****I. PURPOSE**

Due to the nature of the contribution system, the purpose of the Sick Leave Bank is designed to provide assistance that is short-term in nature rather than a long-term disability income protection plan.

II. LEAVE BANKS ADMINISTRATIVE COMMITTEE

The Sick Leave Bank and Caregivers Bank for Ohio County Schools employees will be administered by a committee consisting of representatives from each of the following:

To be appointed annually by each of the following:

- one (1) member of the Ohio County Education Association
- one (1) member of the School Service Personnel Association
- one (1) member of the Administrative Staff
- one (1) member selected by the Board of Education who will serve as the Chairperson and will be a non-voting member except in the event of a tie
- one (1) member selected from the Professional Staff Development Council.
- one (1) member selected from the Service Personnel Staff Development Council.

NOTE: For the 2002-2003 school year only the Service Personnel Staff Development Representative term will be for three (3) years and the professional Staff Development Representative term will be for two (2) years. All terms thereafter will be for two (2) years.

III. MEMBERSHIP

All regular employees of the Board of Education who earn personal leave days shall be considered eligible for membership on a voluntary basis. Employees who desire to participate may join by signing a Leave Bank Enrollment Form. Employees may specify days for one Bank only. Participation in the program will be limited to those who donate days to the Bank.

The rate of contribution to join shall be one (1) day of personal leave. This may be supplemented per III. b.

IV. RULES

- A. The Bank may be used only by the individual contributor for his or her own personal illness or that of a family member as defined in 4009.02 and is not transferable to any other person.
- B. The days in the Bank cannot be granted retroactively, except as indicated in part III. g.
- C. The Banks can be used only to the extent of daily wage not covered by Worker's Compensation and the bank will be charged only for the portion of a day actually paid out by the Banks.
- D. An employee joining the Sick Leave Bank after the initial year will have a waiting period of six (6) months before that employee can use the Sick Leave Bank. New employees who join at the time of employment are immediately eligible. An employee joining the Caregivers Bank during the 2002-2003 school year will be immediately eligible. Thereafter, the six(6)month waiting period applies.
- E. Professional or Service personnel employees who serve as long term substitutes for a regular employee are not eligible to participate in the Sick Leave Bank or Caregivers Bank until such time as they are hired by the Board in a permanent position and are no longer Substitutes.
- F. Number of days to be granted from the Bank shall be determined by the recommendation of the administering committee. However, the maximum number of days granted shall not exceed thirty (30).
- G. Sick leave time assigned to the Bank shall remain the property of the Banks, and no donor shall have any further claim to donated days.
- H. Each day granted is credited to the receiving employee as one full personal leave day; may not be credited for more or less than a full day by calculating the value of the leave according to the hourly wage of the employee; and may only be used for the purpose for which the leave is granted.
- I. If a member does not use all the days granted from a Bank, the unused Leave Bank days shall be returned to the appropriate Bank.
- J. Days granted may not be used to qualify for or add to service for any retirement system administered by the state or to extend insurance coverage pursuant to WV Code §5-16-13.
- K. A member who has withdrawn days and then returned to work shall be asked to repay days. This repayment

schedule will be at the rate of three days repaid per year from the days earned by the member. A member who has not repaid the total number of days borrowed from the Banks shall repay all borrowed days upon termination of employment with Ohio County Schools. This repayment will be limited by the balance of unused personal leave days in their possession at that time. All days owed to the Banks shall be repaid prior to the submission of additional requests.

- L. When the determination is made by a doctor that an employee will never be able to return to work, the member must seek disability benefits from the State Teacher's Retirement System and/or Social Security rather than from the Sick Leave Bank.

V. PROCEDURES

- A. Contributions to the Banks must be made on an Ohio County Leave Bank Donation form by the individual member and shall be canceled in writing by the unit member.
- B. When the number of days is depleted to thirty (30) in either Bank, all employee members of the Bank will be notified that they must donate one (1) day to remain a member. However, no member may contribute more than two (2) days of personal leave per school year per bank.
- C. In the event that additional days have been requested from the membership (per III. b.), members returning from extended sick leave, disability, or caregivers leave will be required to contribute said day(s) or forfeit their membership.
- D. In case a contributor has been incapacitated, the application may be submitted to the committee by an agent or family member on behalf of the member.
- E. Applicants may submit requests for extension of such leave grants as their prior grants expire. Such applications shall be made on the regular request form.
- F. Days shall not be granted to active employees with 5 or more days of accumulated personal leave. Upon exhaustion of accumulated personal leave, days granted by the Sick Leave Bank or Caregivers Banks become effective.
- G. The employee or his/her representative must make written application to the Director of Human Resources. This request must be submitted on a Leave Bank Request Form. Upon receipt of the form, the Director of Human Resources will refer the request to the Leave Bank Committee. All information submitted by the employee to the committee will be kept confidential with the members of the committee.

- H. In cases where the committee recommends denial of an application for the use of the Bank or an extension of such use, the applicant may appeal the request through normal Due Process procedures.

VI. LIMITATIONS

- A. An applicant to the Sick Leave Bank may be required to undergo a medical review by a physician of the committee's choice at any time at the member's expense. Applicants to the Caregivers Leave Bank may be required to submit certification of the family member's medical condition.
- B. Sick leave for mental illness may be granted when:
 - 1. a problem is certified by a licensed psychiatrist/ licensed psychologist; and
 - 2. an applicant is enrolled in a rehabilitation program of at least two (2) or more visits per week.
- C. Sick leave for alcohol/drug related illnesses may be granted when:
 - 1. certified by a licensed physician; and
 - 2. an applicant is enrolled in a rehabilitation program accepted by the Sick Leave Bank Committee.
- D. Leave from the Bank may not be used for reasons of maternity. Exceptions will be considered in extreme cases where medical complications arise.
- E. A member may request leave from the Bank only one time per year per incident except in extenuating circumstances as determined by the committee.
- F. Consideration for Bank requests are determined by the committee, in part, based on the member's years of service and amount of accumulated personal leave prior to the illness for which Bank days are requested.
- G. The member's name is not given to the committee prior to the discussion and decision on the request.
- H. A Bank contribution shall not reduce the number of personal leave days without cause to which a donor employee is entitled by West Virginia Code §18A-4-10 if sufficient general personal leave days are otherwise available to the donor employee.

4009.01

- I. An employee may not be coerced or compelled to contribute to Leave Banks. Violations of this rule shall constitute grounds for disciplinary action.
- J. No employee may request additional days from the Bank until all previously granted days have been repaid.
- K. This policy is subject to yearly review and update under the direction of the Leave Bank Administrative Committee. Such revisions shall be submitted to the Ohio County Board of Education for consideration.

REGULATION REVIEWED: June 9, 2014

REGULATION REVISED: August 13, 2007

REGULATION ADOPTED: August 28, 1989

OHIO COUNTY BOARD OF EDUCATION

SICK LEAVE BANK ENROLLMENT FORM

I, _____ request to become a member
(Print Name)
of the Sick Leave Bank available to employees of Ohio
County Schools.

I hereby authorize the Human Resource Office to deduct one day from my sick leave. I understand that should the Sick Leave Bank need additional days, I must give one additional day, up to a maximum of two per year, to remain a member of the Sick Leave Bank.

I agree to abide by the rules established in the Sick Leave Bank Policy/Regulation and should I have questions and/or concerns, they may be addressed to the Director of Human Resources.

Signature _____

Date _____

Social Security Number _____