

# Italy ISD Sick Leave Bank Procedures

## SECTION I: PURPOSE & DEFINITION

### **Purpose**

The District shall establish a sick leave bank that employees may join through contribution of local leave. Leave contributed to the bank shall be solely for the use of participating employees. An employee who is a member of the bank may request leave from the bank if the employee or a member of the employee's immediate family experiences a catastrophic illness or injury and the employee has exhausted all paid leave. If the employee is unable to request leave from the sick leave bank, a member of the employee's family or the employee's supervisor may submit the request.

### **Definition of Sick Leave Days for Members**

Sick leave days from the Bank are those days granted to a member of the Bank in the event of a qualifying catastrophic illness or injury as defined in policy DEC (LOCAL).

No Sick Leave Bank days will be granted for elective absences, elective surgical or medical procedures, or procedures that could be safely and reasonably postponed to extended school breaks. In special cases, sick leave days may be granted for use with the illness of a family member.

## SECTION II: MEMBERSHIP

### **Eligibility**

All employees who contribute two (2) local sick leave days shall be eligible to participate in the Sick Leave Bank.

### **Procedures for Joining the Sick Leave Bank**

1. Any employee who is eligible to join the Sick Leave Bank may do so by contributing two (2) days of accrued or anticipated local sick leave. An employee desiring to join during the current school year must be able to earn at least two from the time of his/her employment until the completion of his/her total number of days of work at the end of the school year.
2. The enrollment period for current employees and new employees hired prior to the opening of the school year shall be during the open benefits enrollment period.
3. All professional contractual employees who join the Bank within the enrollment period are eligible for membership beginning with the first official day of work.
4. All non-contractual personnel (classified and auxiliary) to be eligible for membership shall have been employed ninety (90) calendar days prior to membership.
5. All new personnel employed after the enrollment must be able to earn at least two (2) days of local sick leave during the current school year to be eligible for membership

## Italy ISD Sick Leave Bank Procedures

- a. New non-contractual personnel employed after the enrollment period must be employed a minimum of ninety (90) calendar days prior to being eligible to join the Bank.
- b. New professional personnel employed after the enrollment period are eligible to join immediately after they begin their work. Such personnel must join within thirty (30) days of beginning employment.
6. Employees desiring to join the Banks shall complete the membership application form during open benefits enrollment. Human Resources shall verify the employee's eligibility, and upon approval of the application, send it to the Payroll Department in the Business Office.
7. The donation of two sick leave bank days is a one--time contribution of days unless the employee utilizes days from the Bank (see section III, D) or the number of days in the Bank falls below the level established in Section III, E of the Sick Leave Bank Policy, in which case employees may be required to contribute two additional days in accordance with the Sick Leave Bank Policy.
8. Any employee who does not join the Sick Leave Bank prior to the end of open enrollment and suffers a serious health condition may petition approval to buy in at such time as the serious health condition arises. Upon vote and unanimous consent of the Sick Leave Bank Committee, the request will be presented to the Superintendent for approval of the contribution to the Sick Leave Bank.

## SECTION III: REGULATIONS CONCERNING CONTRIBUTION OF DAYS

- A. To become a member of the Bank an employee must contribute two (2) days from his/her accrued or anticipated local sick leave for the current year.
- B. These days will be subtracted from the member's local sick leave record.
- C. The two (2) days donated become the property of the Italy ISD Sick Leave Bank. All donations will remain the property of the sick leave bank and will not be returned even if the employee cancels membership in the sick leave bank.
- D. For Bank purposes, the school year will be from September 1 through August 31. If a member uses three (3) or more days from the Bank during this period, he/she will be required to donate an additional two (2) days the following school year (July through June) in order to have continuing membership in the Bank. If a member uses fewer than three (3) days, he/she will donate the number of days actually used, not to exceed two (2) days.
- E. If the Bank falls below one and a half times (1.5x) the number of participating members on September 30, continuing participants must contribute one (1) extra day effective October 1 of the next school year. If it falls below one times (1x) the number of members, he/she must contribute two (2) days. Participants who join in September will donate a maximum of two (2) days for the current school term.

## Italy ISD Sick Leave Bank Procedures

- F. If a member decides to cancel his/her membership in the Bank, the two (2) days contributed for membership remain the property of the Bank. If later, this individual wish to rejoin the Bank, he or she may do so during the enrollment period by again donating two (2) days.
- G. Personnel who terminate their employment with the District forfeit membership in the Bank at the effective date of termination. If the employee wishes to regain membership in the Bank upon his/her return to the District, two (2) days must again be donated.
- H. Personnel on approved leave of absence will retain membership in the Bank and will not be required to donate additional days.

## **SECTION IV: REGULATIONS CONCERNING GRANTING OF SICK LEAVE DAYS FROM THE BANK**

- A. Conditions known to exist by the employee on or before the date of joining the Sick Leave Bank will not be covered under provisions of the Sick Leave Bank until one year from the date of enrollment. This waiting period is waived for new employees to the District at their first opportunity to join the Bank.
- B. Sick leave days from the Bank will be granted only after the member has exhausted all accumulated leave: state and local sick leave, available disability leave, and vacation days.
- C. Days from the Bank shall be granted to a member of the Bank for critical illness, medically necessary surgery (non-elective), or a temporary disability due to an injury which renders him/her unable to perform the duties of his/her position which necessitates an absence from work for five consecutive days or longer.
- D. Sick Leave Bank days shall be granted only for absences from working days and will not be granted for holidays, vacation days or other such days for which the member is not paid.
- E. The maximum number of Sick Leave Bank days that may be granted to an employee during the year (September 1 through August 31) will be twenty (20) days. In extreme hardship cases, upon a unanimous vote of the Sick Leave Bank Committee, the Board may provide a member up to twenty (20) additional days for the illness of an immediate family member. The maximum number of days awarded for life per member is seventy-five (75) days.
- F. If a member who has received less than twenty (20) days from the Sick Leave Bank returns to work and then is ill again with the same or a different illness, he/she may apply to the Sick Leave Bank for additional days needed, the total not to exceed twenty (20) days per year (September 1 through August 31).

## Italy ISD Sick Leave Bank Procedures

- G. A member shall only be reimbursed for the amount docked. Reimbursement will be made only in the member's regular payroll check after the Sick Leave Board's approval of requested days.
- H. Sick leave days from the Bank may be used to supplement monies paid to the member under the Worker's Compensation Act, but shall not exceed the member's daily salary.
- I. All unused sick leave days in the Bank at the end of the school year (August 31) shall be carried over to the next school year (September 1 through August 31).
- J. A contributor will lose the right to utilize the benefits of the Bank by:
  - 1. Termination of employment in Italy ISD.
  - 2. Cancellation of participation by the member.
  - 3. Being on approved leave of absence.
- K. The Sick Leave Bank Committee reserves the right to evaluate individual extenuating circumstances to determine eligibility for granting days from the Sick Leave Bank.

## **SECTION V: PROCEDURES FOR APPLYING FOR SICK LEAVE DAYS**

- A. Should the member have a qualifying event, the member may submit a request for days from the Bank.
- B. A member must submit a request for days from the Bank to the Superintendent after five (5) consecutive days out of work and no later than thirty (30) work days after returning to duty, forms containing the following information:
  - 1. A statement signed by the member attesting to the fact that the condition, which necessitated the request for days from the Bank, was unknown to the employee at the time he/she became a member of the Bank.
  - 2. Completion of the attending physician's statement which includes:
    - a. Identification of the nature of illness and/or extent of injury.
    - b. Date of initial onset of this condition.
    - c. Anticipated date eligible to return to work on a full or part-time basis.
    - d. Statement from the physician that the condition is not a pre-existing condition. This statement is waived for new employees at their first opportunity to join the Bank.
- C. Anticipated days, if any, for follow-up examinations. (May be limited by the Sick Leave Bank Committee).
- D. Forms for the above purpose have been prepared and are available from human resources or the website.
- E. The Sick Leave Bank Committee may refuse to consider an application that does not contain the required information.
- F. If a member is critically ill and unable to file an application for sick leave days from the Bank, the school principal, immediate supervisor, or department head

# Italy ISD Sick Leave Bank Procedures

may initiate the application form at the request of the employee or the employee's family.

- G. An applicant may be required to undergo a medical review for a second opinion physician of the Sick Leave Bank Committee's choice at any time, at the expense of the district, upon approval of the Superintendent or designee.

## **SECTION VI: GOVERNMENT COMMITTEE**

The governing committee, which will approve or deny all requests for sick leave bank days, shall be called "*The Italy ISD Sick Leave Bank Committee.*"

### **Composition of Membership of Sick Leave Bank Committee**

- A. Members of the Sick Leave Bank Committee should include:
  - 1. Principal
  - 2. Counselor or Librarian
  - 3. ES Teacher
  - 4. MS/HS Teacher
  - 5. Any other employee that is a member of the sick leave bank
- B. Duties and Responsibilities of the Sick Leave Bank Committee
  - 1. All applications for Sick Leave Bank days shall be reviewed individually by the Sick Leave Bank Committee in a called meeting. A quorum shall consist of at least three (3) members.
  - 2. A member may be requested to appear before the Sick Leave Bank Committee to substantiate his/her application.
  - 3. The Sick Leave Bank Committee shall determine the number of days approved, up to twenty (20) days, and reserves the right to approve, disapprove, or modify the days requested.
  - 4. The Sick Leave Bank Committee shall not in any manner discriminate against any individual with respect to its decisions on the basis of any of the following protected characteristics: race, color, or national origin; sex; religion; age (applies to individuals who are 40 years of age or older); disability; or genetic information. A member may appeal the decision of the Sick Leave Bank Board by writing a letter to the Executive Officer requesting to appear in person before the Sick Leave Bank Committee.
  - 5. Further appeals regarding the Sick Leave Bank may be appealed in accordance with DGBA (LOCAL), beginning at Level II, with the superintendent or designee.
  - 6. The Business Manager or designee shall serve as the Executive Officer of the Committee and process all approved sick leave days for members to the Payroll Department.
  - 7. Any medical information provided shall remain confidential. A member's name will be removed from applications before review by the Sick Leave

# Italy ISD Sick Leave Bank Procedures

Bank Committee. All requests for leave reviewed by the Board will be anonymous.

## **SECTION VII: USE OF SICK LEAVE BANK FOR IMMEDIATE FAMILY**

- A. Purpose - To provide additional sick leave days for members whose immediate family or a relative for whom the member is the major caregiver has suffered a qualifying illness or injury as defined in Policy DEC (LOCAL).
- B. Definition of immediate family - The term "immediate family" shall include:
  - 1. Spouse.
  - 2. Son or daughter, including a biological, adopted, or foster child, a son--or daughter--in--law, a stepchild, a legal ward, or a child for whom the employee stands *In loco parentis* to the employee.
  - 3. Parent, stepparent, parent-in-law, or other individual who stands *In loco parentis* to the employee.
  - 4. Sibling, step-sibling, sibling-in-law.
  - 5. Grandparent and grandchild.
- C. To apply for sick leave days, the employee member must follow the procedures set out in Sections IV and V.
- D. All regulations pertaining to the use and issuing of sick leave days for an employee will also be applied to the illness or injury of the employee's family member.
- E. Regulations that pertain to use of the Bank for member of family:
  - 1. The Bank will provide sick leave days to members only after they have exhausted all accumulated leave: state and local sick leave, available disability leave, and vacation days.
  - 2. The maximum number of days that may be granted to an employee for use with the illness or injury of a family member is fifteen (15) days per occurrence with a maximum of twenty (20) days in any year (September 1 to August 31). The maximum number of days awarded for life per member is seventy-five (75) days, including days granted for the illness or injury of a family member.

## **SECTION VIII: ADDITIONAL DAYS**

Upon a unanimous vote of the Sick Leave Bank Committee, the Board may provide a member up to fifteen (15) additional days for the illness of an immediate family member in extreme hardship cases. The maximum number of days awarded for life per member is seventy-five (75) days, including days granted for the illness or injury of a family member.

\*Guidelines for granting of sick leave for use with family are covered in Section VII.