

**OLTON INDEPENDENT SCHOOL DISTRICT**  
**SICK LEAVE BANK GUIDELINES**

**I. Purpose**

The purpose of the sick leave bank is to provide additional sick leave days to members of the bank in the event of an unexpected extended critical illness; unexpected critical surgery; or a temporary disability due to a critical and/or debilitating injury.

**II. Definition of sick leave days for members**

Sick leave days from the bank are those days granted to a member who had an unexpected extended critical illness; unexpected critical surgery; or critical and /or debilitating injury and is unable to perform the duties of his/her position. In special cases sick leave days may be granted for use with the illness of a family member.

**III. Eligibility**

All full-time employees of the district shall be eligible for membership. "Full-time employees" shall be defined as those employees who are classified as full-time by OISD.

Participation is voluntary, but requires contribution to the bank.

**IV. Procedure for joining the sick leave bank**

During the initial year of the bank's operation, any employee who is eligible to join the sick leave bank may do so by donating two (2) days from his/her local leave for the current school year. These days will be subtracted from the member's local sick leave record. The two (2) days donated become the property of the OISD Sick Leave Bank. All donations will remain in force and cannot be returned even upon cancellation of a membership.

There will be two enrollment periods for membership during the initial year:

(1) September 1-30, 1999, employees may join by contributing two (2) days.

(2) January 5-14, 2000, employees may join by contributing two (2) days of local leave. In order to continue membership, these members must contribute an additional one (1) day during the September 1 - 30, 2000, enrollment period.

After the 1999 enrollment, the enrollment period for current employees and new employees hired prior to the opening of the school year shall be September 1 through September 30.

New employees hired after the enrollment period are eligible to join immediately. Such personnel must join within thirty (30) days of beginning employment. All new personnel

employed after the enrollment period must be able to earn at least two (2) days of local sick leave during the current school year to be eligible for membership.

Eligible employees who elect not to join the sick leave bank at the first opportunity afforded to them shall not be permitted to join until the subsequent annual open enrollment period.

## **V. Administration**

The sick leave bank shall be administered by a seven-member committee, all of whom are members of the bank and who have been employed by the school district for at least three (3) consecutive years. The SLB committee shall be elected from the membership as follows: one professional staff person (teacher, counselor, librarian, nurse, speech therapist, diagnostician, etc.) shall be elected from each of the three campuses; three auxiliary employees shall be elected by the auxiliary employee members; and one administrator member shall be elected by the district administrator members.

The term of office shall be two (2) years, with initial members drawing lots for two or three year terms in order to establish staggered terms. Four members shall receive a three year term, and three members shall serve for two years during the initial term. The term of office shall run from June 1 to May 31.

Election of committee members will be held on the first Monday in September. Only members of the bank are eligible to vote.

Members of each group named above may nominate candidates from their group. Nominations must be submitted by Sept. 1 of each year. A form will be provided.

Voting will be by secret paper ballot. Ballots will be distributed through the school mail and collected in each campus office. Ballots will be returned by school mail on the Wednesday following the election. A meeting of the committee shall be called to tabulate the ballots no later than one week following the election.

Counselors, librarians, nurses, speech therapists, diagnosticians, etc. will be eligible to vote and/or be elected as representatives per the "home campus" assignment.

In the event no nominations are filed for one or more of the positions on the committee, the committee shall fill such positions by appointment at the first committee meeting following the nomination deadline. The selection will be made from the group which would be represented by the vacant position.

At the first meeting of the year for the newly elected committee members, the committee shall select from its group a chairperson, a vice chairperson, and a secretary.

All applications for sick leave bank days shall be reviewed individually by the committee in a called meeting. A quorum shall consist of at least four (4) committee members. Vacancies on

the committee that arise during the school year will be filled by appointment by the committee members. The selection will be made from the group which was represented by the member who resigned.

The SLB committee shall be responsible for receiving requests, verifying the validity of requests, recommending approval or denial of requests, and communicating decisions to the member and the business office. The committee shall meet as the need arises.

## **VI. Contributions**

For bank purposes the school year will be from September 1 to August 31.

After the initial enrollment periods of September 1 - 30, 1999 and January 5 - 14, 2000, to become a member of the bank an employee must contribute three (3) days from his/her accrued or anticipated local sick leave for the current school year.

If a member uses three (3) or more days from the bank during the school year, he/she will be required to donate an additional three (3) days the following school year in order to have continuing membership in the bank. If the member uses fewer than three (3) days, he/she will donate the number of days actually used.

Contributions shall be made between September 1 and September 30 each new school year except for members returning from extended leaves that included the enrollment period. Employees returning from disability leave shall be permitted to contribute to the bank only upon approval of the SLB committee.

If the bank falls below two times (2x) the number of participating members on September 30, each continuing participant must contribute one (1) extra day effective October 1 of the current school year. If it falls below one time (1x) the number of members, he/she must contribute two (2) days. Participants who join in September will donate a maximum of three (3) days for the current school term.

If a member decides to cancel his/her membership in the bank, any days contributed for membership remain the property of the bank. If, at a later date, this individual wishes to rejoin the bank, he or she may do so during the enrollment period by donating three (3) days.

## **VII. Loss of membership rights**

A member of the bank shall lose the right to use the benefits of the bank by:

1. termination of employment with the district; (Personnel who resign a dual position and rehired without a break in employment will retain their membership.)
2. the member's voluntary cancellation of membership in the bank, as of the effective date of the cancellation;
3. any abuse or misuse of the rules of the bank.

## **VIII. Granting of days from the SLB**

Conditions known to exist by the employee on or before the date of joining the SLB will not be covered under provisions of the SLB until one year from the date of enrollment. This waiting period is waived for the 1999 initial enrollment period and for new employees at their first opportunity to join the bank.

Sick leave days and bereavement days from the bank shall be granted only after the member has exhausted all accumulated state leave and current local leave days.

Days from the bank shall be granted only for unexpected extended critical illness; unexpected, critical surgery\*; or critical and/or debilitating injury which necessitates an absence from work for five (5) consecutive days or longer.

\*Days requested for Cesarean deliveries will be considered only for first-time occurrence and on a case-by-case basis. Requests will not be accepted until all accumulated sick leave is exhausted.

Pregnancy will not be considered as a catastrophic illness except in the event of complications which endanger the applicant or fetus.

Days granted from the Sick Leave Bank shall be in units of not more than thirty (30) consecutive working days. A member may apply for an extension(s) by submitting an updated statement from the physician on the proper form. The committee will make the determination for approving extension(s) based on individual circumstances, the balance of days in the bank, and the time of the year the request is made. All extensions granted must be upon the unanimous vote of the committee.

Sick leave days from the bank may not be granted for the period of disability when monies are paid to the member under the Worker's Compensation Act.

Members must use all available state and local leave (not including extended sick leave) before receiving any days from the bank. In order to qualify, the employee must have been out five consecutive workdays with the current illness. Applications for use of the bank shall be made on the required forms and submitted to the SLB committee through the business office employee designated in charge of SLB accounting. If a bank member does not use all of the days granted from the bank, the unused sick leave bank days shall be returned to the bank.

The SLB may be used for the contributor's own personal illness or to enable the contributor to remain away from his/her position in order to assist a member of his/her immediate family who has suffered catastrophic illness or injury. Immediate family will be as specified in categories 1, 2, and 3 of the OISD definitions of immediate family. For the purposes of the sick leave bank, 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* and

3. parent, stepparent, parent-in-law, or other individual who stands in *loco parentis* to the employee.
4. in cases where the committee determines the employee is the primary caregiver.

All regulations pertaining to the issue and issuing of sick leave days will also be applied to the illness or injury of the family member. The term “catastrophic” implies an emergency situation of a serious nature.

An employee may use up to five (5) consecutive days from the sick leave bank for bereavement leave for the death of the employee’s spouse, child (including biological, adopted, foster or stepchild), and parent or stepparent.

## **IX. Rules and Procedures**

Each application for a request from the bank must ***be submitted to the SLB no later than 30 calendar days after returning to work and*** include a new physician’s statement on the appropriate bank form. The form shall include authorization by the employee to release medical reports to the SLB committee. The SLB committee shall review and forward to the business office its decision on all requests to draw on the bank within 5 working days after such request is received by the chairperson of the SLB committee.

All requests to draw upon the bank must be accompanied by a physician’s statement confirming the cause of illness or confinement and certifying the existence of an inability to perform assigned duties. The form shall be personally signed by the physician. The SLB committee shall not honor any physician’s statement unless it is on or attached to the official SLB physician’s statement form.

An applicant may be required to undergo at any time a second opinion medical review by a physician of the SLB committee’s choice, at the expense of the applicant upon approval of the Superintendent. This physician’s report shall be sent directly to the SLB committee before any action on the member’s application for a grant from the bank shall be taken.

In case a contributor’s incapacity is such that the member cannot personally apply for a grant, an application may be submitted to the SLB by the school principal, immediate supervisor, or department head at the request of the family.

All forms for application for participation in the bank, withdrawal of sick leave days, and membership cancellation forms shall be available in the principal’s office on each district campus and in the district business office and shall be sent to any member upon request.

Copies of all SLB donations, sick leave grant requests, and SLB membership cancellation forms shall be marked for approval or denial by the SLB committee. Following such action, the SLB committee shall disperse copies of the forms to the bank member and the district business office.

The district business office shall maintain all records regarding the operation of the SLB:

1. The district business office shall report the status of the SLB upon request of the SLB committee.
2. The district business office shall provide information to the SLB committee upon request for any data maintained in the business office files with regard to an applicant's use of, or investment in, the bank. The Superintendent shall advise committee members of their responsibility to maintain confidentiality requirements.

Any questions concerning membership, regulations, or application for sick leave days that may arise after adoption of this plan and are not specifically covered herein shall be submitted to the SLB committee which will make a final decision.

### **SICK LEAVE BANK DEFINITION OF CATASTROPHIC**

A member of the sick leave bank may withdraw leave from the bank under the following conditions:

Must have a catastrophic mental or physical illness or injury defined as follows:

1. must be of a serious nature, not a passing disorder or temporary ailment
2. must require treatment by certified health care provider
3. the illness must be chronic or debilitating
4. it must result in the employee's temporary or permanent incapacity to perform his/her job functions for an extended period of time

Examples of illnesses which may enable a member to withdraw leave from the bank include but are not limited to cancer, heart disease or stroke.

For the purpose of withdrawals from the sick leave bank, normal pregnancies with no serious complications and routine surgeries with no serious complications are not considered to be catastrophic.

Days from the bank shall be granted only for unexpected extended critical illness; unexpected, critical surgery\*; or critical and/or debilitating injury which necessitates an absence from work for five (5) consecutive days or longer.

\*Days requested for Cesarean deliveries will be considered only for first-time occurrence and on a case-by-case basis. Requests will not be accepted until all accumulated sick leave is exhausted

Pregnancy will not be considered as a catastrophic illness except in the event of complications which endanger the applicant or fetus.

The Sick Leave Bank Committee has complete authority to determine whether an employee's illness or injury is considered to be catastrophic by the definition in this regulation.