

## **DCISD 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, surgery, or a temporary disability due to an injury.

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

Sick leave days from the bank are those days granted to a member who through an unexpected extended critical illness, surgery, injury, or other temporary disability due to injury, 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 DCISD.

Participation is voluntary, but requires contribution to the bank. Only contributors shall be permitted to use the bank for payment for qualifying incapacitating condition during regularly scheduled duty days.

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

When initially joining the bank's operation, any employee who is eligible to join the sick leave bank may do so by donating three (3) 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 three (3) days donated become the property of the DCISD Sick Leave Bank. All donations will remain in force and cannot be returned even upon cancellation of a membership.

Any full time employee may enroll in the SLB during the designated enrollment period each year. This open enrollment will be for a period of 10 days, beginning with the first day of classes.

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 three (3) 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 committee, all of who 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 representative (teacher, counselor, librarian, nurse, speech

therapist, diagnostician, auxiliary, etc.) shall be elected from each campus; one auxiliary employee and one administrator shall be appointed by the superintendent.

The term of office shall be three (3) years, with initial members drawing lots for one, two or three-year terms in order to establish staggered terms. All subsequent members shall receive a three-year term. The term of office shall run from June 1 to May 31. A member may serve a maximum of two (2) consecutive terms.

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

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 to each campus office following the election and will be tabulated by the administrator. In case of a tie, a run off election will be held. If no one is elected at a campus, then the superintendent will appoint a representative from that campus.

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

All applications for sick leave bank days shall be reviewed individually by the committee in a called meeting. A quorum must be present. Minutes shall be kept at all meetings.

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.

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 a 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. These days will be automatically donated to the bank unless the member contacts the business office to cancel their membership. If the member uses fewer than three (3) days, he/she will donate the number of days actually used. If an employee does not elect to be a member of the bank, they must be docked 30 days of pay before they are eligible for donated days from the district.

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 next 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 again 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 new employees at their first opportunity to join the bank.**

Sick leave days from the bank will 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, surgery\*, or critical injury which necessitates an absence from work for five (5) consecutive days or longer.

\*Days requested for Caesarean 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 requested for Cancer-related illness and/or treatments will be considered on a case-by-case basis without regard to the 5 consecutive requirement and requests will not be accepted until all accumulated sick leave is exhausted.

The maximum number of SLB days that may be granted to an employee during the year (September 1 through August 30) will be thirty (30) days. If a member who has received less than thirty (30) days from the SLB returns to work and then is ill again with the same or a different illness, he/she may apply to the SLB for

additional days needed, the total not to exceed thirty (30) days per year. Each separate illness applied for must meet the initial criteria of just cause.

Upon a unanimous vote of the committee, a member may be provided up to thirty (30) additional days for himself/herself or (15) additional days for the illness of an immediate family member in extreme hardship cases.

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

The SLB committee reserves the right to evaluate individual extenuating circumstances to determine eligibility for granting days from the SLB.

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 DCISD 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.

All regulations pertaining to the use 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.

#### **IX. Rules and Procedures**

Each separate application for a grant from the bank must 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 shall be made upon a bank request form and submitted to the SLB committee within 15 calendar days of the first date bank usage is requested.

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 DCISD 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, 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.