

# **EMPLOYEE SICK LEAVE BANK HOUSTON COUNTY BOARD OF EDUCATION**

## **1. PURPOSE**

The purpose of the sick leave bank is to provide employees who suffer catastrophic illness or injury with additional sick leave days upon the exhaustion of all accrued leave. Catastrophic illness shall be classified according to the following categories:

### **a. Category #1: Regular Disability**

Defined as any disabling injury, illness, or surgery requiring a disability period of longer than 20 continuous workdays. Sick leave bank eligibility would begin on the first workday following the 20-work-day elimination period. A minimum of five days leave without pay must be satisfied, either during or subsequent to the 20-day elimination period, before SLB days can be withdrawn.

### **b. Category #2: Catastrophic Illness**

Defined as those dread illnesses which are usually of an ongoing or recurring nature and which are likely to drain an employee's personal leave reserve over a period of time. Category 2 catastrophic illness includes but are not limited to:

1. Heart Disease
2. Carcinoma
3. Diabetes
4. Acquired Immune Deficiency Syndrome
5. Muscular Disease
6. Osteology Disease
7. Lupus
8. Leukemia

A first-time bank application based on a Category 2 diagnosis will be classified as a Category 1 and subject to the 20-day elimination period. Subsequent bank applications resulting from extended disabilities for the same Category 2 diagnosis may have the 20-day exclusion period waived.

See Item #5 for withdrawal provisions for these two classifications.

## **2. ESTABLISHMENT**

In order for the bank to become operational, it must be approved by the Board of Education and at least forty percent of eligible employees must, by application, join the bank.

## **3. BANK ADMINISTRATION**

The sick leave bank shall be administered by the system comptroller and a committee composed of three school-level certified persons, a representative from the principals, two representatives from the classified staff, and a member of the system-wide administrative staff. The committee members shall be appointed by the superintendent and shall serve a three-year term.

The responsibilities of the committee shall be:

- a. Consider all applications to withdraw days from the bank.
- b. Make the final decision in awarding sick leave days from the bank.
- c. Recommend any additions, deletions, or modifications to the sick leave bank policy. Such recommendations shall be submitted to the Board of Education for approval.
- d. Shall meet as needed to rule on applications for withdrawal.
- e. Provide the committee with necessary background information on applicants, including history of absenteeism.
- f. Report periodically to the committee and to the membership at large on the status of bank balances.

#### 4. **BANK MEMBERSHIP**

All full-time employees of the Houston County Board of Education are eligible to become members of the sick leave bank. The employee must have earned at least one year of experience with the Houston County Board of Education and have accrued no less than three sick leave days at the time of membership application.

The open enrollment period for the sick leave bank shall be from September 1 to October 1. Membership, if accepted, shall be effective October 1.

PRE-EXISTING CONDITIONS: After the initial enrollment period, no pre-existing conditions for which medical treatment or attention has been sought or received will be eligible for bank withdrawal for a period of one year from the date of bank enrollment.

An exception to this clause shall be new employees to the system that join the bank at the first enrollment opportunity (the end of the first year of employment).

#### MEMBERSHIP REQUIREMENTS:

- a. A completed and dated membership application.
- b. A contribution to the bank of three days of the applicant's earned accrued sick leave. This leave must be actual leave earned, not projected earnings for the year.
- c. A commitment from the employee that one additional day of leave will be transferred to the bank whenever the total bank balance falls below twenty five percent of the total number of members in the bank. If earned leave is not available when the assessment is made, the day will be transferred as soon as it is earned.
- d. A waiver, signed upon application for membership, relieving the Board of Education and the sick leave bank committee of any liability resulting from action taken by the committee.

Membership in the bank is completely voluntary. A person may resign from the bank by giving written notice to the comptroller's office. The resigning employee will not be eligible to withdraw days already committed to the bank.

No employee shall be eligible to rejoin the bank after resignation.

If an employee resigns from the Houston County Board of Education, he/she will be eligible for reinstatement in the bank upon re-hire by the school system as a full-time employee. A written application for reinstatement is required.

## 5. WITHDRAWAL OF SICK LEAVE DAYS

Application may be made to the committee under the following conditions:

### a. CATEGORY #1 DISABILITY:

The first twenty workdays of continuous disability leave are not eligible. The employee may apply for benefits on the first work day following the qualifying period or the first day following the fifth day of unpaid leave, whichever is later.

### CATEGORY#2 DISABILITY:

The first application for SLB days based on a Category #2 illness as defined in Item 1 shall be classified as a Category #1 regular disability and subject to the 20-day elimination period. Subsequent applications based on the same diagnosis may have the 20-day elimination period and/or the five days leave without pay provision waived by the SLB committee. SLB days may be granted beginning on the sixth day of continuous leave without pay. Waiver of the elimination period will be at the discretion of the Committee and will be based on the circumstances of each case, considering such factors as the length of time between the first and second application and use of earned leave during the interim. In cases where a Category 2 illness, over a period of time, has directly resulted in the depletion of the employee's earned accumulated leave, the SLB Committee may elect to waive the 20-day elimination period and/or the five days leave without pay provision. For consideration, the absences must exceed 20 days, must be a direct result of the present Category #2 illness, and must have occurred within the eighteen months preceding the application for SLB days.

- b. All applications shall include a physician's diagnosis and prognosis of treatment and anticipated length of disability.
- c. The maximum number of days that may be withdrawn in a five-year period is 80.
- d. Days shall be withdrawn from the bank in increments of twenty days or less. The committee has the discretion of granting additional increments at the time of approval if medical evidence so warrants. If additional bank days are needed beyond those granted in the original approval, an additional application must be submitted, including an updated physician's report.
- e. Any bank days remaining in the employee's account at the end of the disability period shall be returned to the bank.
- f. Maternity leave will not qualify for bank withdrawal unless medical complications arise from normal pregnancy.
- g. If the employee is incapacitated, a family member may make application.

- h. No employee receiving worker's compensation benefits shall be eligible to draw from the bank.
- i. If there is no reasonable expectation that the employee will be able to return to work and the employee qualifies for disability or service retirement or social security disability, the employee must apply for these benefits. Sick leave bank days shall not be granted for periods of time for which the employee is eligible for these benefits.
- j. The transfer of sick days from the bank to the individual's payroll records must be made on a timely basis (normally by the 15<sup>th</sup> of the month) in order to receive sick leave pay for that month. Accordingly, application to the committee must be made in time to allow action by the 15<sup>th</sup>. Transfers approved after the payroll department's deadline will be processed the following period.
- k. Bank leave days can only be used for the employee's normal workdays.
- l. Days withdrawn from the bank do not have to be replaced except as a general assessed contribution to the bank.
- m. Before approval for withdrawal is granted, the committee shall review the applicant's leave records for the past two years. If it is determined that the employee has a history of misuse of sick leave, the committee shall deny the application for withdrawal. In order to provide the committee with the necessary information to make this judgment, the applicant may be required to furnish additional information to the committee. Information may also be solicited from the employee's supervisor.
- n. Applications for withdrawal from the bank may be based on the employee's own illness or any immediate family member. Immediate family for the purpose of this policy is defined as spouse, natural or adopted offspring, or stepchildren living in the same household.
- o. The committee will investigate alleged abuse of the sick leave bank. If fraud or abuse is determined, the employee will be required to reimburse the bank.
- p. DRUG/ALCOHOL REHABILITATION: SLB days may be granted but only under the following conditions:
  - 1. The employee must voluntarily seek rehabilitation.
  - 2. The employee must not have committed infractions of system policy or regulations regarding drugs/alcohol, including warnings or reprimands.
  - 3. A one-time maximum of 20 days may be granted and only after meeting the same elimination periods as for the category 1 illnesses.

## **6. GENERAL PROVISIONS**

- a. A committee quorum shall be four members of the seven-member committee.
- b. A majority vote of committee members present is required for approval of a withdrawal request.
- c. The Sick Leave Bank Policy can only be changed through the recommendation of the committee and upon approval by the Board of Education.
- d. A copy of the policy shall be made available to all members.