

Regulation Employee Sick Leave Bank - Sick Leave Bank

Descriptor Code: GARHA-R(1)

The Board of Education hereby establishes a Sick Leave Bank. The Sick Leave Bank shall be administered by a Sick Leave Bank Committee in accordance with Policy GARHA. The FMLA Coordinator will serve as the administrator of the Committee and has the responsibility of receiving, verifying, and convening the Committee to consider applications.

Sick Leave Bank Committee

The Sick Leave Bank Committee will be appointed by the Superintendent or Assistant Superintendent of Human Resources. The Committee will at a minimum consist of the following: Assistant Superintendent of Human Resources or his/her designee, Chief Legal Counsel, FMLA Coordinator, and representatives from the Finance Department. A Central Office secretary appointed by the Superintendent or Assistant Superintendent of Human Resources shall serve as secretary, but will not be a voting member of the committee.

The Committee will meet as often as required to consider applications and at least twice yearly. The Committee will be responsible for reviewing the operation of the sick leave bank, recommending changes in the policy and regulation, reviewing applications and rendering decisions on the disbursement of days approved. The Committee will be responsible for preparing an annual report for the Superintendent.

Membership

Any full-time employee who has accumulated at least ten (10) days of sick leave may become a member of the sick leave bank by donating one (1) day of accumulated sick leave during the annual open enrollment period. For all employees who work eight (8) hours or more a day, a "day" is eight hours. For all employees who work less than eight (8) hours a day, a "day" is the normal number of hours worked in a day. For example, if an employee only works four (4) hours in a day, a day is four (4) hours.

Membership continues from year-to-year unless the employee requests termination of membership in writing during the annual open enrollment event.

Maintenance of the Sick Leave Bank

When the Committee determines that the sick leave bank needs to be replenished, the Committee shall make recommendation to the Superintendent to assess from all members of the bank, the number of sick leave days needed to bring the balance up to an acceptable level. If a member has no accumulated sick leave at the time of the assessment, the first earned hours will be assessed.

Any employee not contributing under this provision shall be considered to have dropped membership and shall not have previously donated days returned. Donations of sick leave to the bank are not refundable or transferable.

All days granted, but not used by the member, must be returned to the sick leave bank.

Eligibility for Sick Leave Bank Withdrawal

1. Withdrawal from the sick leave bank may be approved for a personal illness or personal temporary disability that is catastrophic in nature. The following are examples of catastrophic illness: strokes or any major cerebrovascular rupture or aneurysm, cancer, organ transplant, heart surgery or cardiovascular rupture, heart attack, major trauma-accident where major bones are broken (back, hip, etc.) and brain or head trauma.
2. The sick leave bank shall not be used for maternity leave unless the mother experiences personal illness and/or personal temporary disability that is catastrophic in nature.
3. For the purpose of this policy, personal illness and/or personal disability does not include mental illness.
4. The member has exhausted all means of salary replacement including accumulated sick leave, annual leave, personal leave and short-term disability.
5. The member is not receiving workman's compensation.
6. No member shall be permitted to use the sick leave bank if the personal illness or personal temporary disability is related to an illegal activity (e.g., driving under the influence of alcohol or illegal drugs.)

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Definitions

For the purpose of this policy, the following definitions apply.

- a. "Personal illness" is an illness of the employee that impairs her/his ability to perform the essential duties of his/her job position.
- b. "Personal temporary disability" is a physical impairment impeding a person from performing the essential duties of his/her job position while undergoing medical treatment.
- c. "Catastrophic in nature" is life altering and substantially impacts the quality of life.

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Procedures for Requesting Sick Leave Bank Withdrawal

1. The completed application for sick leave days must be accompanied by a physician's statement verifying the member's illness, injury, non-elective surgery or disability and attesting to the member's incapacity to perform assigned duties.
2. The member may be required to undergo, at the member's expense, a medical review by a physician chosen by the Committee.
3. The maximum number of days any member may receive in a fiscal year (July 1 – June 30) is sixty days (60).
4. If a member is physically or mentally unable to make a request for withdrawal, a family member or agent may file the request on the member's behalf.
5. Requests for leave from the bank must be made within twenty (20) working days after becoming eligible for withdrawal.

Processing the Request

The committee will generally render a decision on an application within ten (10) working days of receipt of all needed documents. The decision rendered by the Committee shall be final and is not subject to appeal to the Board of Education.

The decision on a request for withdrawal from the bank will be based on medical documentation and/or lack of medical documentation.

General

Each member must sign a form stating that the member is aware of the provisions of the sick leave bank. The member relieves the Sick Leave Bank Committee, Bibb County School District and Board of Public Education for Bibb County from any liability as a result of any action taken and decisions rendered relative to membership.

The Bibb County School District may require the member to repay the bank for any sick leave granted on the basis of misleading, erroneous or false statements.