



# Liberty Hill ISD

## Sick Leave Bank Procedures

### **ADMINISTRATION**

#### **Purpose**

The Sick Leave Bank (the Bank) is a benefit to assist employees in dealing with a medically certifiable catastrophic mental or physical illness or injury that forces them to exhaust paid leave and would otherwise result in a loss of income from the district. The Bank is a collective deposit of leave days received from enrolling employees and subsequent contributions from members. All days deposited in the Bank become the property of the Bank and are no longer available for use by the individual employee as accrued leave.

#### **Level of Membership**

In order to establish the sick bank, a minimum number of 100 employees must elect to become members of the sick leave bank during the first enrollment period. A minimum of 50 members are required to sustain the sick leave bank. The bank will be dissolved if membership falls below this number.

#### **Bank Administrator**

The Sick Leave Bank Committee administers the Bank and is responsible for evaluating and granting or denying requests for Sick Leave Bank days. The Committee is composed of one representative from each campus, the Director of Human Resources (HR), and one representative from among Transportation, Maintenance & Custodial, and Child Nutrition departments.

The Human Resource department (HR) serves in an advisory capacity to the Committee, receiving initial requests for days, verifying requestors' membership in the Bank, and removing names from applications. HR monitors and reports on Bank use and the balance of days in the Bank, in cooperation with the Payroll department. The HR Director shall not be a voting member of the committee except in the event of a tie.

#### **Criteria for Evaluating and Granting or Denying Requests**

The Committee shall use the following criteria in evaluating and making decisions to grant/deny requests:

1. **Membership in the Sick Leave Bank** – Days can be granted only to current Bank members and immediate family as defined by DEC (LOCAL).
2. **Catastrophic Illness or Injury** – the member or a member of the employee's immediate family has experienced a catastrophic illness or injury as defined in Policy DEC (Local) (see the "Eligibility and Enrollment" section of this procedure) and certified by a health care provider as defined by the Family and Medical Leave Act.
3. **Exhaustion of all paid leave** – the member has exhausted all paid leave, including state personal, state sick, and local leave days, vacation days, and compensatory time. Disability Insurance is not a form of paid leave.
4. **Number of Sick Leave Bank Days available** – the Committee shall consider granting the number of days requested, up to the maximum of 20 days per school year, and a maximum of 60 days during entire employment with the district.

#### **Forms**

District forms for enrollment, request for days, and medical certification are available on the district website under the Human Resources Department.

#### **Appeals**

Employees who wish to appeal the decision of the Committee must follow the employee grievance process outlined in Policy DGBA (LOCAL) beginning with the Superintendent or designee.

## **Reports**

HR, in conjunction with Payroll, will produce an annual report showing contributions, usage, and reserve balance in the Bank. The report will be given to the Committee, Sick Leave Bank members, and the superintendent, and included once annually in a report to the Board of Trustees.

## **ELIGIBILITY & ENROLLMENT**

### **Eligibility**

Membership in the Sick Leave Bank is open to full- and part-time regular employees. For purposes of the bank, "regular employee" is defined as an employee who is required to work at least twenty hours per week, and at least four and one-half months each fiscal year.

### **Employee and Immediate Family**

Leave contributed to the Bank shall be solely for the use of participating employees and immediate family. An employee who is a member of the Bank may request leave from the Bank if the employee or the employee's immediate family experiences a catastrophic illness or injury and has exhausted all paid leave. For the purpose of the sick bank, immediate family is defined as spouse and son or daughter, including biological, adopted, or foster child, a stepchild, a legal ward, or a child for whom the employee stands in *loco parentis*.

### **Enrollment**

To become a member of the Sick Leave Bank, an employee must contribute 1 local leave day. New employees may enroll in the Bank within 30 days of hire by depositing 1 local leave day. Existing employees may enroll during the annual open enrollment. Conditions for which an employee received medical advice or treatment within six months before enrollment will not be covered for the first year following his or her enrollment in the bank. Employees that receive days from the bank will be required to contribute 1 day the next open enrollment following their return to work.

### **Catastrophic Illness or Injury**

Use of the bank is limited to members or the member's immediate family as previously defined who have experienced a catastrophic illness or injury as defined in Policy DEC (Local): "a severe condition or combination of conditions affecting the mental or physical health of the employee or a member of the employee's immediate family that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned by that employee and to lose compensation from the District. Such conditions typically require prolonged hospitalization or recovery or are expected to result in disability or death. Conditions related to pregnancy or childbirth shall be considered catastrophic if they meet the requirements of this paragraph.

## **REQUESTS FOR SICK LEAVE BANK DAYS**

### **Requests for Days**

An employee must submit a written request for Sick Leave Bank days to the Sick Leave Bank Committee, via the HR department. The request should be made in a timely manner (generally within two weeks) once the employee knows that he/she will need time off beyond his/her available paid leave. If the employee is unable to make the request, a family member, the employee's immediate supervisor, or another administrator may initiate the request.

When a request is submitted, HR will notify the Committee that a request has been made. The Committee will meet, evaluate, and make a decision on the request, and notify HR of its decision. HR will notify the employee in writing regarding approval or denial of the request.

### **Number of Days Granted**

Members may be granted up to 20 days from the sick leave bank per school year (July 1- June 30th). Members may on be granted a total of 60 days their entire employment with the district.

### **Confidentiality**

Any medical information provided is confidential. A member's name is removed from applications by HR before review by the Committee. All requests for leave reviewed by the Committee are anonymous.

## **CERTIFICATION**

### **Medical Provider**

Medical certification by a health care provider as defined by the Family and Medical Leave Act must be submitted with a request for Sick Leave Bank days.

### **Frequency**

Recertification of a medical condition is required when a request for additional sick leave bank days is made.

### **Second Opinions**

The district reserves the right to request a second opinion to certify the need for leave by a health care provider designated by the district. The district will assume the cost if a second opinion is required.

## **MAINTENANCE OF SICK LEAVE BANK DAYS**

### **Required Donation of Additional Days**

**Annual Contribution upon Re-Enrollment** – Employees must re-enroll each year to continue membership in the Bank, and must make an annual contribution of 1 local day of leave.

**After Use of Sick Leave Bank Days** – Employees who receive days from the bank will be required to contribute 1 day of leave during the September immediately following their return to work.

**Voluntary Donation of Additional Days when Balance Is Low** – An employee may specify in writing that he/she wishes to donate one additional day in any school year if the total balance of the Bank falls below 60 days. HR will notify members in such a case, and afford them the opportunity to donate an additional day.

**Voluntary Donation upon Separation from Employment** – Upon separation from employment (resignation or retirement), an employee may specify in writing that he/she wishes to donate any accumulated leave days to the Sick Leave Bank.

## **MISCELLANEOUS**

### **Cancellation of Membership**

**During Employment** - If a member decides to cancel his or her membership in the Bank, all days contributed will be forfeited. If, at a later date, this individual wishes to rejoin the Bank, he or she may do so during the enrollment period by donating the required number of days.

**Upon Separation from Regular Employment** - Membership in the Sick Leave Bank ceases on the effective date of an employee's separation from regular employment with the district. An individual who is rehired is eligible to rejoin the Bank by donating the required number of days.