

[DRAFT]

Administrative Rule

SICK LEAVE BANK

Code **GCCAAA-R** Issued _____

Sick leave bank

The District will establish a District-wide sick leave bank for active duty full-time ~~(non-retired)~~ employees who earn sick leave. The purpose of the sick leave bank is to protect eligible employees from undue financial burdens which might result when extended absence from work is necessary due to a catastrophic personal illness or accident or due to such illness or accident involving an immediate family member.

The bank will be administered by a sick leave bank board which will be comprised of two teachers elected by teachers who are members of the bank, a principal elected by principals who have joined the bank, two classified employees representing different service areas elected by classified employees who are bank members, and a District office representative elected by bank members employed at the District level. The ~~Director of Personnel~~ Chief Personnel Officer and a representative from the business department will serve as *ex officio* members of the bank board. Two members will rotate off the board annually. Terms for elected members will be three years. The board year will be from August 1 through July 31 each year. All representatives to the sick leave bank board must be members of the sick leave bank.

The bank board will receive requests for use of days from the sick leave bank and will decide on these requests and upon appeals arising from their decisions according to this administrative rule. The board may make suggestions for improving the operation of the bank. However, any changes to this administrative rule and guidelines must be approved by the Rock Hill School District Three Board.

The sick leave bank board will issue an annual report to the membership.

Definitions

This plan will provide extended sick leave to a member/employee for a physician-certified prolonged illness, injury, quarantine or incapacitation so severe to oneself or an immediate family member that attendance of the employee is impossible.

- Prolonged illness is defined as an illness which extends over 12 or more consecutive working days.
- An immediate family member is defined as a spouse or dependent child of the employee.

Eligibility

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All employees who are on full-time active duty with the District and who earn sick leave are eligible to participate. Participation is voluntary; however, the bank will not operate with less than 30 percent participation.

To become a member, an employee must complete a membership application and contribute one day of sick leave during the open enrollment period. Additional contributions annually, or as needed, will be automatically transferred to the bank according to the procedures established (see procedures section).

Procedures and regulations for membership

An open enrollment period will occur between July 1 and September 30 of each school year or within the first 30 working days on the job for new hires after September 30 of each school year. A special open enrollment may be declared should the bank become depleted.

Employees who initially choose not to participate in the bank may enroll at a subsequent open enrollment period. However, the employee must contribute a number of days equal to those he/she would have contributed had he/she been a member since the initial enrollment opportunity at hiring or at the initial open enrollment period. In addition, a six-month qualification period will be required prior to any application for use of the bank.

Sick leave bank members must contribute one day of sick leave at the initial enrollment period and one additional day each year at the open enrollment period with the following exceptions.

- In any year that the number of sick leave days in the bank is twice the number of members, no days will be contributed for that year, except by first-time members of the bank.
- At any time the total number of days in the bank reaches a level equal to or less than 25 percent of the number of members, an additional contribution of one day will be required and an open enrollment period declared.

All contributions to the bank remain the property of the bank and under no circumstances can a member withdraw his/her accumulated days from the bank.

All contributions to the bank will remain in force for the fiscal year in which they are contributed. However, a member may cancel his/her membership during the open enrollment period by written notification to the sick leave bank board.

Regulations for use of the bank

In order to make application to receive days from the sick leave bank, an employee must meet the following criteria.

- The employee must be a current member of the bank and have met the six-month qualification period.

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- The employee must have been out of work for 12 or more consecutive work days as the result of illness or accident to him/herself or an immediate family member.
- The employee must have exhausted all annual and accumulated sick leave.
- The number of days to be approved for an illness will be limited to those days needed until the member is approved for short- or long-term disability, disability retirement benefits, workers' compensation benefits, or to the end of the employee's contract year, whichever comes first.
- The employee utilizing sick leave days from the bank will not be allowed to be employed in any other capacity.
- The employee must use a minimum of 12 sick leave days before the bank can give additional days. If a member does not have 12 accumulated sick leave days, the member will lose pay up to, but no more than, 12 days. For example, a member who has accumulated 10 days of sick leave will lose pay for 2 days before sick leave bank days can be granted.

An employee (~~or family member of an incapacitated employee~~) who meets the eligibility criteria described above may apply to draw upon the sick leave bank by completing an Application For Use of Sick Leave Bank form. This application must be accompanied by a Physician's Confirmation form confirming the nature and expected duration of the disabling condition. Employees requesting additional days must reapply in a timely manner. An additional form from the physician must be completed after each 12 days are drawn from the bank. The maximum number of days which may be drawn from the bank for any catastrophic event is 60.

Applications should be submitted to the ~~Director of Personnel~~ Chief Personnel Officer who will schedule meetings of the sick leave bank board in coordination with the District office representative to the bank board. Applications will be reviewed within 45 days of receipt of all required documentation.

All members applying for days from the sick leave bank will be notified in writing of the decision of the board.

- All approved applications will be forwarded to the business office for processing.
- All rejected applications will be returned to the member with an explanation of the specific reason(s) for denial. Members may appeal a rejected decision once by reapplying and submitting additional documentation and/or a second physician's opinion on the Physician's Confirmation form.
- All appeals will be responded to in writing within 45 days of receiving all required appeal documentation.
- Decisions will be made by a majority vote of the sick leave bank board and will be final.
- Members who have been approved for worker's compensation due to a job-related injury will not be eligible to apply for sick leave bank days.
- The medical emergency effecting a leave recipient terminates when the District determines the medical emergency no longer exists or the leave recipient's employment terminates. When the medical emergency effecting a leave recipient terminates, or the employee's employment terminates, any transferred sick leave remaining to the credit of the leave recipient must be restored to the sick leave bank.

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Additional sick leave days cannot be granted for illness or hospitalization due to normal pregnancy beyond the employee's annual and accumulated leave except in extreme cases such as extra-uterine pregnancy, complications requiring intro-abdominal surgery or toxemia with convulsions or similarly serious complications.

Additional sick leave days cannot be granted for illness or hospitalization due to routine and/or uncomplicated medical and surgical procedures.

Forms to be used for membership application, application for additional sick leave days from the bank and physician confirmation are available from the District's personnel department.

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