

**SICK LEAVE BANK (PP3020 – DDAE)**

The purpose of this policy is to establish a sick leave bank for teachers, administrators, and classified staff. The sick leave bank is created to provide participants with paid sick leave in the event of a medical emergency as defined below.

**Definitions**

- Montpelier Sick Bank Committee: consists of the Superintendent, one eligible sick bank participant representative from each of the certified and classified staff and two school board members, whose duties are to review applications and approve/disapprove, monitor the status of the medical emergency, and provide reasonable assurance that the sick leave is not abused.
- Family Member: a participant's spouse, parent, child, or other individuals with a relationship "equivalent to immediate family member" as determined by the committee.
- Leave Recipient: a current participant in the Montpelier School Sick Leave Bank that has been approved to receive leave from the sick bank.
- Medical Emergency: A medical illness or accident that has afflicted a participant or a participant's family member and will result in a prolonged, unpaid absence from the participant's work. A prolonged absence may be defined as either a consecutive set of five days absent from work or intermittent absences over an extended duration of time. The Sick Bank Committee shall determine what constitutes a prolonged absence on a case-by-case basis, taking into account the employee's duties and responsibilities. Excluded from the term medical emergency are voluntary or cosmetic treatments that are not medically necessary, routine/preventive physical examinations, and conditions associated with normal pregnancy.
- Plan Year: July 1<sup>st</sup> through June 31<sup>st</sup>.

**Eligibility**

All Montpelier Public School staff who are eligible to receive sick leave are eligible to participate in the Sick Bank on a voluntary basis. No employee shall be coerced, threatened, intimidated, or financially induced into donating leave for the purpose of leave donation.

When a sick bank leave has been approved, all employees will be notified of the need and the number of days expected to be required. Those wishing to donate days will notify the business manager who will record the information and cease taking days when the recipient has been provided with the approved allotment. Donations from one individual may not exceed more than 5 days per school year.

***Requirements to become a Leave Recipient***

1. Employee must have exhausted their accumulated paid leave.
2. Employee has adhered to and not abused the sick leave policy of Montpelier School District.
3. Employee is not eligible for or receiving disability or workers' compensation benefits.
4. Employee has been incapacitated for at least five consecutive working days.
5. Employee has not submitted a notice of retirement effective at the end of the current contract year.
6. The employee must apply with a written application to the Sick Bank Committee. The application shall be submitted as soon as practical not to exceed seven days from the date that the employee became aware of the medical emergency or exhausted all applicable paid leave, whichever is later. If an employee receives sick bank leave, the recipient shall not be granted retroactive days for any unpaid leave taken while the sick leave bank application was being processed.

The application must state the reasons why sick leave is needed, including a description of the nature, severity, and anticipated duration of the medical emergency, and a medical statement from a licensed physician or health care practitioner verifying the severe or extraordinary nature and expected duration of the employee's or immediate family members condition. Failure to provide this documentation may result in denial of the sick bank request. The Sick Bank Committee reserves the right to request a second medical opinion at the district's expense. If an employee is unable to make the request due to his/her medical condition, a proxy may make the request on his/her behalf.

7. Upon committee approval of the sick leave request, a voluntary leave back will be established. The Committee may only authorize use of sick leave bank in increments of 15 days or less. The employee must apply for additional sick bank days if needed. Sick bank days need not be consecutive nor for the same medical emergency.

**Sick Bank Structure**

1. No leave recipient shall be permitted to use more than 30 days per school year for nine-month employees and 40 days per calendar year for twelvemonth employees from the bank.
2. Any use of the sick leave bank that is a qualifying reason under FMLA shall count towards a FMLA eligible employee's FMLA entitlement.
3. No individual may draw more than 90 days from the sick bank in his/her lifetime of employment with Montpelier School.
4. Sick days donated to and from part-time employees who typically work less than 7.5 hours per day will be prorated based on the usual hours worked.

**Sick Bank Committee Authority & Duties**

The Sick Bank Committee will monitor the status of leave recipient's medical emergency. The committee shall review each sick bank leave application and medical documentation in a timely manner. Approval of a sick leave bank request shall require a majority vote of the committee.  
End of Montpelier School Policy DDAE

Adopted 8/10/2016  
Amended and Adopted 8/9/2017