

Highland Park Independent School District

Sick Leave Bank

Guidelines

HIGHLAND PARK INDEPENDENT SCHOOL DISTRICT

SICK LEAVE BANK GUIDELINES

Section I

PURPOSE and DEFINITIONS

A. Purpose

The purpose of the Sick Leave Bank (SLB) is to provide paid sick leave workdays to members of the bank who are unable to perform the duties of their position due to a serious personal illness or a temporary disability due to a serious injury or the terminal illness of a qualifying family member. Workdays may be requested from the bank only after the member has exhausted all accumulated paid state and local leave days.

B. Definitions

1. Sick Leave Bank - A pool of local sick leave days voluntarily contributed by eligible employees to be used by members who have exhausted all paid state and local leave but are unable to perform the duties of their position due to a qualifying serious personal illness or temporary disability due to a serious injury or the terminal illness of a qualifying family member.
2. Sick leave days - Days granted to a member from the SLB.
3. Eligible Employee - An individual who is regularly scheduled to work at least 30 hours per week and who is employed in an allocated budgetary position.
4. Qualifying Family Member - A member's spouse, dependent child, mother, or father.
5. School Year - The 12-month period from September through August.
6. Preexisting Condition - A condition which was known to the member on or before the date the member joined the SLB.
7. Serious illness or injury - Illness of a life threatening nature requiring treatment by a physician and hospital admittance. Although some degree of permanence is usually involved, the disease need not necessarily be incurable or permanent. To qualify for benefits from the SLB, a serious illness or injury must result in the employee's temporary or permanent incapacity to perform his or her job function for an extended period beyond normal recovery time.

Section II

MEMBERSHIP

A. Eligibility

All district employees who are regularly scheduled to work at least thirty (30) hours per week, are in an allocated budgetary position (FTE), and who are eligible to earn at least 3 days of local leave in the school year in which application for membership is made are eligible to join the Sick Leave Bank. A district employee whose membership in the Sick Leave Bank was involuntarily revoked may not rejoin the Sick Leave Bank.

B. Enrollment

1. Any eligible employee may join the Sick Leave Bank by completing an application form and contributing three (3) days of accrued local sick leave. An annual administrative fee of \$1.00 will be assessed against each member. An employee desiring to join during the current school year must be able to earn at least three days between the date of his or her employment and the end of the school year in which membership is sought. Completed applications should be submitted to the Personnel Department.
2. The enrollment period for current employees shall be September 1 through 30 of each school year. The effective date of coverage is the employee's first official workday of the new school year. Late applications will not be accepted.
3. New employees must apply for membership within thirty (30) calendar days of employment. Membership will not be effective until the first day of the month following sixty days of employment (*e.g.*, An eligible employee who is hired on September 15 and applies for membership during the first 30 calendar days of employment will become a member on December 1.).

Section III

MEMBER CONTRIBUTIONS TO SICK LEAVE BANK

- A. Commencement of Sick Leave Bank. The SLB will go into operation when there is a minimum balance of two times the number of participants plus 20 days. If enrollment is not sufficient to support the operation of the SLB in the school year in which it is instituted,

donated days will be restored to members who donated days in that school year and the SLB will not commence operation.

- B. Initial Contribution. Each applicant for membership to the SLB must contribute three (3) days from his or her accrued local sick leave. The District will subtract the donated days from the employee's local sick leave balance. The donated days become the property of the SLB. Donated days are not returned to the employee, even if the employee's membership in the SLB ends.
- C. Repayment of SLB days. Members who do not use days from the bank during a school year normally are not required to donate three (3) additional days from their accrued local sick leave each year to remain a member. A member who uses three or more days from the bank during a school year must donate an additional three (3) days following school year to remain a member of the SLB. A member who uses fewer than three (3) days in a school year must donate the number of days he or she actually used. Refusal to repay days to the SLB when required will result in immediate cancellation of membership and the member will not be eligible to reapply for membership.
- D. SLB Reserves. When SLB reserve days fall below two times the number of members, the Sick Leave Bank Committee will require members to donate additional days to replenish SLB reserves.
- E. Closure of SLB. If the Bank's Leave reserves are depleted or become critically low and there is not sufficient membership to sustain the Bank, the SLB Committee will close the bank and all membership and benefits will end. All donated leave will be forfeited.
- F. Voluntary cancellation of membership. If a member cancels his or her membership in the bank, the three days contributed for membership remain the property of the bank. If the employee wishes to rejoin the SLB, at a later date, he or she may do so only during the next enrollment period and must donate three additional (3) days.
- G. Ineligibility to participate. A member of the bank who is reassigned to a position in the district where he or she would not be eligible for membership will have any days donated during the current school restored to his or her local leave balance.

Section IV

SICK LEAVE BANK BENEFITS

A. Restrictions on Use of Leave

1. A member may receive a maximum of thirty (30) days from the SLB in any school year.

2. A member may not receive SLB days for any absences due to a preexisting condition.
3. A member may receive sick leave days only for (i) a serious personal illness, surgery, or a temporary disability due to a serious injury which causes the employee to be unable to report for work, or (ii) the terminal illness of a qualifying family member that requires the member to be absent from work. Benefits for a qualifying family terminal illness are limited to those situations where no other family member is available to care for the terminally ill person at home.
4. The Sick Leave Bank will not cover routine parental leave following the birth of a child. However, extended absences caused by serious medical complications arising from pregnancy, childbirth, or related medical conditions may be considered by the Sick Leave Bank Committee on an individual basis.
5. A member may apply for days from the Sick Leave Bank only after being absent from work the number of days requested (days will not be given in advance).
6. Days from the bank will be granted only for a serious extended illness, surgery, or a temporary disability due to an injury which necessitates an absence from work of five (5) consecutive days or longer.
7. Sick Leave Bank days shall be granted only for absences from working days and will not be granted for holidays, vacation days, or other such days for which the member is not actually scheduled to work.
8. A member who has received fewer than 30 days from the Sick Leave Bank in a school year, returns to work, and then is ill again with the same or different illness, may apply to the Sick Leave Bank for additional days. The Sick Leave Bank Committee may grant the request if the absence qualifies, but the total days granted may not exceed thirty (30) days per school year.
9. A member may only be reimbursed for the amount actually docked less payroll deductions. Reimbursement will be made only in the member's regular payroll check and after the Sick Leave Bank Board's approval of requested days.
10. A member may not receive sick leave days from the bank for a period of disability for which the member receives compensation under the Workers' Compensation Act unless the member has exhausted all workers' compensation temporary income benefits as well as his or her own accumulated state and local leave.
11. All unused sick leave days in the bank at the end of the school year will be carried over to the next school year.

B. Loss of Membership

Membership in the SLB will end for the following reasons:

- a. Termination of employment with the Highland Park Independent School District for any reason.
- b. Suspension without pay (no sick leave benefits may be received during the suspension).
- c. Voluntary cancellation of membership; however, no refund of donated days will occur.
- d. Any abuse or misuse of SLB guidelines or rules as determined by the SLB Board of Directors. (Note: A member who misuses SLB benefits may be required to reimburse the Bank for any costs incurred).
- e. While on an approved leave of absence other than for personal illness, SLB membership is suspended and no benefits may be granted.
- f. Engaging in any employment or self-employment during a period of absence for which the member applies for or receives benefits.
- g. Failure to repay the required number of days.

Section V

PROCEDURE to APPLY for SICK LEAVE DAYS

- A. A member who has a serious extended illness, surgery, or a temporary disability due to a serious injury or whose qualifying family member has a terminal illness may request days from the Bank after all State and local leave has been exhausted, provided the member has been absent at least 5 consecutive days due to the illness, injury, or condition.
- B. A member who requests days from the SLB must submit the following:
 - 1. A completed Request for Sick Leave Bank Days form.
 - 2. A statement from the member's attending physician or health care provider which includes:
 - a. A description of the nature of the illness and/or extent of injury.
 - b. Date of initial onset of the condition.
 - c. Anticipated date eligible to return to work on a full-time basis without restrictions.

- d. Anticipated days, if any, for follow-up examinations and treatments.
- 3. The physician's statement must be legible, personally signed by the physician, and completed in lay language. The statement must be completed on the form provided by the SLB. The Sick Leave Bank Committee will not consider any physician's statement unless it is on the appropriate form and is filled out completely.
- 4. Any additional information requested by the Sick Leave Bank Committee.
- C. Fully completed requests for leave must be submitted to the Executive Officer of the Sick Leave Bank Committee no less than 48 hours prior to the regularly scheduled Committee meeting where the request will be considered.
- D. Appropriate forms are available in the principal's office at each school and in the personnel office.
- E. The Sick Leave Bank Committee may refuse to consider an application that is untimely, does not contain the required information, or is otherwise incomplete.
- F. A member's refusal or failure to promptly submit all information requested by the Sick Leave Bank Committee may result in a denial of the member's request for leave or a delay in the grant of leave.
- G. If a member's incapacity is of such a nature that he or she cannot personally apply for SLB benefits, the application may be submitted on the member's behalf by an authorized agent or member of the member's family.

Section VI

SICK LEAVE BANK COMMITTEE

- A. **Name**
 - 1. The governing committee, which will approve or disapprove all requests for Sick Leave Bank days, shall be called the Highland Park Independent School District Sick Leave Bank Committee.
 - 2. Membership on the Sick Leave Bank Committee will be composed of:
 - a. Six Voting Members who are elected by the members of the SLB
 - (1) Two representatives from the elementary school staff
 - (2) One representative from middle and intermediate school staff

- (3) One representative from the high school staff
- (4) One representative from Maintenance & Operations personnel
- (5) One representative from administrative staff (central office or campus level)

b. Nonvoting Members

- (1) An employee of the HPISD personnel department shall serve as the Executive Officer of the Sick Leave Bank
- (2) The Sick Leave Bank Committee may request that the Coordinator of School Health Services serve as a nonvoting member of the Committee

3. Term of Office

A member of the Sick Leave Bank Committee will serve for two (2) school years which constitutes one term. A member, if reelected, may serve a maximum of two (2) consecutive terms. Terms of Committee members will be staggered in a fashion determined by the Executive Officer.

4. Election Procedures

- a. Elections will be held during the last week of September. Only members of the bank are eligible to vote on committee members.
- b. Members of each group named above may file as candidates from their group. Candidates must file for office with the Executive Officer of the Sick Leave Bank.
- c. Voting will be by ballot. All ballots must be returned to the Executive Officer by the end of the election week.
- d. The Executive Officer shall rule on the eligibility of all other personnel not covered above as to which group to be assigned for voting purposes.

C. Duties and Responsibilities of the Sick Leave Bank Committee

1. At the October meeting of the SLB, the committee members will select from its group a chairperson and a vice chairperson.
2. A simple majority of the voting members of the Sick Leave Bank Committee will constitute a quorum. In the event of a tie, the Executive Officer of the Sick Leave Bank Committee will cast the deciding vote.

3. All decisions made by the Committee are to be by majority vote of the members attending the Committee meeting.
4. All applications for SLB days shall be reviewed individually by the Sick Leave Bank Committee in a called meeting. The Committee reserves the right to request additional information from a member who has requested a grant of days from the Committee. A member's failure or refusal to promptly provide all information requested may result in denial of the request for leave or delay in the grant of sick leave days.
5. The Committee may request that the member appear before the Committee to provide additional information about his or her request for benefits.
6. The Sick Leave Bank Committee will determine the number of days approved for any member, up to thirty (30) days in a school year, and reserves the right to approve, disapprove, or modify the number of days requested.
7. A member may appeal the decision of the Sick Leave Bank Committee by submitting a written request for review to the Executive Officer and requesting to appear in person before the Sick Leave Bank Committee. An appeal must be submitted to the Executive Officer no later than the tenth business day after the SLB Committee's decision being appealed from was received. Untimely appeals will not be considered.
8. Upon receipt of a timely appeal, the Executive Officer will arrange a time for the member to address the Committee. The Committee will consider the member's appeal and may request additional information. The decision of the Sick Leave Bank Committee on the appeal is final.
9. Vacancies on the Sick Leave Bank Committee that occur during the school year will be filled by appointment by the Sick Leave Bank Committee. The selection will be made from the group which the departing Committee member represented.
10. The Executive Officer of the Sick Leave Bank Committee will process all approved sick leave days for the membership. These records will be maintained in the personnel department.
11. Committee members have access to highly confidential medical information and records about District employees. Each Committee member agrees to maintain in strict confidence all employee information provided to the Committee.