

# CATASTROPHIC SICK LEAVE BANK GUIDELINES

Eagle Mountain Saginaw ISD

## **Catastrophic Sick Leave Bank Guidelines and Policies for Employees**

### **PURPOSE:**

The Catastrophic Sick Leave Bank (SLB) for EMSISD is maintained to provide additional sick leave days to members for catastrophic incapacitating personal illness or injury.

### **DEFINITION:**

Sick leave days from the Bank are those days granted to a member who is unable to perform his/her duties due to a Catastrophic illness, injury or emergency surgery requiring hospitalization. If an additional day is donated, days may be granted to members for usage of the employee's immediate family in the event of a Catastrophic illness, injury or emergency surgery requiring hospitalization.

For the purpose of Catastrophic Sick Bank leave, the District defines "immediate family" as:

1. Spouse
2. Son or daughter, including biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands *in loco parentis*.
3. Parent, stepparent, parent-in-law, or other individual who stands *in loco parentis* to the employee.
4. Sibling, stepsibling, and sibling-in-law.
5. Grandparent and grandchild.
6. Any person residing in the employee's household at the time of illness or death.

### **Catastrophic Illness or Injury:**

A catastrophic illness or injury is 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. Refer to DEC (Local)

### **MEMBERSHIP:**

#### **Eligibility:**

Catastrophic Sick Leave Bank (SLB) membership will consist of any Eagle Mountain - Saginaw Independent School District personnel who wish to deposit two (2) sick leave days to the Bank. Employees that do not have adequate leave may purchase the days at their daily rate of pay in lieu of donating. These days can be purchased by contacting the Payroll department at (817) 232-0880. Membership will be extended to all current personnel of the District. Only current district employees may participate.

**Procedure for Joining Bank:**

Any employee who is eligible to join the sick leave bank may do so by contributing two (2) days of sick leave to be used for the employee need. A third day may be donated usage for the care of an employee's immediate family member. *After the initial enrollment, members will not be required to deposit any additional days in subsequent years unless the Bank is in danger of being depleted or the employee has used days from the sick leave bank.*

From September 1<sup>st</sup> to September 30<sup>th</sup> of each fiscal school year, there will be a thirty (30) day open enrollment period. During the open enrollment period, any employee may join the Catastrophic sick leave bank without consideration of pre-existing conditions. After the initial enrollment period, all employees will be subject to the pre-existing condition clause. New employees may join the Bank without consideration of pre-existing conditions within the first (30) days of employment.

Should the need arise in subsequent years, members, in order to retain membership, will be required to contribute additional days to avoid depletion of the Bank. If the employee's position with the District is terminated, the days will be forfeited by the employee. If the employee wishes to regain membership in the Bank upon his/her return to the District, two (2) days must again be donated or, (3) days to use in the event of a catastrophic illness, injury or emergency surgery requiring hospitalization of an immediate family member. *Please note, the employee may only join during the enrollment period or within the first (30) days of employment.*

The enrollment period for current employees and new employees hired prior to the school year shall be September 1<sup>st</sup> through 30<sup>th</sup>. Employees who have previously joined the sick leave bank but wish to donate an additional day in order to be eligible to use the bank for the employee's immediate family must make that donation during the enrollment period. All personnel who join the Bank within the enrollment period are entitled to use the sick leave bank upon approval of the Catastrophic Sick Leave Bank Committee.

The Catastrophic Sick Leave Committee has the right and authority to consider and grant requests for membership in the Sick Leave Bank at any time based upon extraordinary and extenuating circumstances, whether or not otherwise permitted under these Guidelines. Such considerations and grants under this provision shall only be taken by unanimous approval of the Committee.

**Regulations Concerning Contribution of Days:**

To become a member of the Bank, an employee must contribute two (2) days from his/her sick leave. A third day may be donated for the care of an employee's immediate family member. These days will be subtracted from the member's local leave. Employees that do not have adequate local leave may purchase the days at their daily rate of pay in lieu of donating. Contact the payroll department directly at (817) 232-0880.

The days donated become the property of the EMSISD Catastrophic Sick Leave Bank. All donations will remain in force and cannot be returned for any reason, even upon cancellation of membership or disbandment of the Bank.

## Eagle Mountain-Saginaw ISD

For Bank purposes, the school year will be from September 1<sup>st</sup> through August 31<sup>st</sup>, the fiscal school year. If all days donated by an employee during the school year are exhausted, the employee must donate the following year in order to have continuing membership in the Bank. If the member uses fewer than the days donated, he/she will donate the number of days actually used. If a member chooses not to pay back the required number of days, he/she will lose his/her membership and benefits in the bank.

The maximum number of sick leave days granted to any member will be 30 days starting September 1<sup>st</sup> through August 31<sup>st</sup> fiscal school year. These days are accumulated days and do not necessarily have to be sequential. After the payment of 30 days' benefit from sick leave bank, the Bank's obligation to that member resulting from the member's initial donated days is ended. The member will not be entitled to additional days until the following year and then only if they rejoin the Bank.

### **Regulations Concerning Granting Days from the Bank:**

Sick leave days from the Bank are those days granted to a member who, through an unexpected catastrophic illness/injury or emergency surgery requiring hospitalization, is unable to perform the duties or his/her position and cannot be used for an illness or surgery which results from condition which was known to the member on the date that he/she first became a member of the Sick Leave Bank. Absences due to pregnancy-related conditions or childbirth will not be covered by the Sick Leave Bank unless a catastrophic problem arises. Refer to the definition of a Catastrophic Illness or Injury on page 2.

Sick leave days from the Bank can be requested and upon approval will be applied after the member has exhausted all current and accumulated state and local sick leave days.

If a member has been docked prior to committee decision, a reimbursement will be made only in the member's regular payroll check after the Committee's approval of requested days.

The Bank may be used only by the individual member for his/her personal illness or injury or if qualified by donating a 3<sup>rd</sup> day, sick leave can also be granted for use if the employee's immediate family experiences a catastrophic illness or injury and the employee has exhausted all leave. ***Sick leave days from the Bank may not be granted for a period of disability when monies are paid to the member under Worker's Compensation Act.***

All unused sick leave days in the Bank at the end of the fiscal school (September 1<sup>st</sup> through August 31<sup>st</sup>) shall be carried over to the next school year (September 1<sup>st</sup> through August 31<sup>st</sup>).

A contributor will lose the right to utilize the benefits of the Bank by:

- Termination or suspension of employment in the EMSISD
- Choosing not to pay back required number of days
- Bank is depleted of days

**Procedure for Applying for Sick Leave Days:**

Sick leave days from the Bank are those days granted to a member who, though an unexpected catastrophic illness/injury or emergency surgery requiring hospitalization, is unable to perform the duties of his/her position; and after all benefits provided have been used he/she may submit a request for days from the Bank.

A member who requests days from the Bank must submit "Catastrophic Sick Leave Bank Request" form to the Human Resources department, within thirty (30) workdays.

**The following document MUST accompany your request form:**

1. Catastrophic Sick Leave Bank Medical Certification

Failure to submit the requested documents may result in a delay in the Sick Leave Bank committee rendering a decision on your request.

If a member is critically ill and unable to file an application for sick leave days from the Bank, the school principal, immediate supervisor, or department head may initiate the form at the request of the member or someone in the member's family.

All requests will be reviewed individually.

A member may appeal against the decision of the Committee by writing a letter to the designated administrator requesting to appear in person before the Committee.

The committee has the right and authority to consider and grant requests for Sick Leave Days based on extraordinary and extenuating circumstances upon application and request from District employees who are members of the Sick Leave Bank, whether or not otherwise permitted under these Guidelines. Such considerations and grants under this provision shall only be taken by unanimous approval of the Committee.

**Administration:**

Membership on the committee is restricted to personnel who are members in good standing with the district and who agree to fulfil the obligations of a Committee member for a two (2) year term.

The sick leave bank will be administered by the following personnel who are members of the Bank:

- 1- Campus Administrator or Teacher
- 1- Paraprofessional Representative
- 1- Nurse
- 2- Auxiliary Representatives (Police Officer, Campus Monitor, Maintenance, Custodial, Child Nutrition)
- 1- Secondary Professional Representative
- 1- Elementary Professional Representative
- 1- Human Resource Representative (Non- voting member)

## Eagle Mountain-Saginaw ISD

The group will be referred to as the Catastrophic Sick Leave Bank Committee for the EMSISD Sick Leave Bank for Employees. All Committee members will draw lots for rotating terms. The rotation will be as follows: 1<sup>st</sup> year- 2 members; 2<sup>nd</sup> year- 3 members, 3<sup>rd</sup> year- 3 members. After the initial drawing, the terms will be for 3 years. The initial Catastrophic Sick Leave Bank Committee shall be appointed by the Superintendent or designee.

The non-voting committee member (Human Resources Representative) will serve as the liaison between the employee and the committee. Once a decision has been rendered, the non-voting committee member will notify the member requesting for days from the Sick Leave Bank and the Payroll Department of the decision.

Meeting times and locations are determined by committee members. Some flexibility is necessary due to scheduling of members and the filing request and appeals. Committee members may choose to handle applications by electronic means in lieu of a formal meeting.

The committee will decide prior to the summer break the procedures it will follow to insure the summer employees can receive Bank benefits without undue delay. The Committee may elect to waive the meeting requirements and adopt procedures that protect the intent of the Bank rules without violating the confidentiality of the applicant. It is recommended that each committee member receive by email an extract of each request. The member would be required to register his/her vote by email within five (5) working days.

All decisions to be made by the Catastrophic Sick Leave Bank committee are to be by a majority vote.

### **Final Decisions:**

Procedures for deciding any question not covered herein; or

Any question concerning membership, regulations, or applications for sick leave days that may arise after adoption of this plan and not specifically covered herein, shall be submitted to the Catastrophic Sick Leave Bank Committee of the sick leave bank who will make a recommendation to the Superintendent of Schools or designee for a decision.