

EMPLOYEE SICK LEAVE BANK PROGRAM

Section I: Purpose

- The purpose of this program is to provide additional sick leave benefits to member employees who have exhausted all other paid leave due to a qualifying illness that occurs during regularly scheduled duty days. There are three separate and distinct plans in the Sick Leave Bank Program. **Plan A** provides members with up to 30 days of paid leave based on the employee's own "Catastrophic Physical Illness" or "Unexpected Incapacitating Physical or Mental Illness" as defined below. **Plan B** provides members with up to 20 days of paid leave, paid at 70% of a members normal daily rate based on the "Catastrophic Physical Illness" of the employee's spouse, parent, or child. **Plan C** provides bank members with up to 10 days of paid leave for absences resulting from the employee's own pregnancy, paid at 70% of a members normal daily rate and up to 10 additional days of paid leave for complicated pregnancy, paid at 100% of a members normal daily rate.

Section II: Definitions

- **Catastrophic Physical Illness** - A physical condition which has the potential to cause financial ruin, permanent disability, or death. These illnesses are limited to the following conditions: Malignant Neoplasm Leukemia, Cancer in Situ, AIDS and Related Illnesses (Kaposi's Sarcoma, Pneumocystis Carinii Pneumonia, Toxoplasmosis in Adult Male), Sickle Cell Anemia, Aplastic Anemia, Cerebral Vascular Accidents (Stroke) resulting in Coma or Paralysis, Spinal Cord Injury, Multiple or Crushing Injuries, Multiple Fractures, Degenerative Neurological Conditions (Multiple Sclerosis, Cerebral Palsy, Muscular Dystrophy, Lateral Sclerosis), Meningitis, Encephalitis, Kidney Failure, Chronic Cardiac Conditions, Organ Transplants, Congenital Anomalies, Amputations involving Major Extremities, Second or Third Degree Burns over at least 20% of the Body, or Severe Respiratory Conditions Requiring Chronic Ventilator Dependency. Mental illnesses other than those listed are excluded.
- **Unexpected Incapacitating Physical or Mental Illness** - A physical or mental condition of an emergency nature which results in a period of incapacity to work of at least three days, and further requires the employee to be admitted to a health care facility on a day-surgery or overnight basis. Routine procedures that could be done during a member's non-duty time without endangering the well being of the member are excluded.
- **Plan Year** - September 1 through August 31

Section III: Membership

- Employees who are eligible for local sick leave benefits are eligible for membership in the sick leave bank. All eligible employees may enroll during the annual open enrollment period, which will be held each year from August 1 - August 31. Participation is voluntary, but requires the contribution of three (3) days of local sick leave to the Bank. Only contributors will be permitted to apply to use days from the

Bank. Membership in the Bank entitles the employee to apply for benefits from all Plans in the Bank. Contributions to the Bank shall be made from the employee's accumulated local sick leave days or from the local sick leave days granted at the beginning of the employee's work year.

- Contributions for initial membership, and as required for continuing membership, shall be authorized by the employee on the approved form. Contributions made to the Bank will not be returned to the employee under any circumstances. An employee may cancel membership in the Bank at any time by completing the appropriate form, and the employee shall not be eligible to use the Bank after the effective date of cancellation.
- If a member uses three (3) or more days from the Bank during this period, he/she will be required to donate an additional three (3) day the following school year (September through August) in order to have continuing membership in the Bank. If the member uses fewer than three (3) days, he/she will donate the number of days actually used.
- If the Bank falls below two times (2x) the number of participating members on July 31, continuing participants **must** contribute one (1) extra day. If it falls below one times (1x) the number of members, he/she **must** contribute two (2) days. The required contribution for continuing membership shall be set by the Sick Leave Bank Committee and announced prior to the acceptance of contributions each year. Any member who elects not to contribute the required number of days shall be dropped from membership for that Plan Year and shall not be eligible for use of days from the Bank.
- A member of the Bank shall lose the right to use benefits from the Bank upon any of the following: termination of employment, suspension without pay during the period of suspension, abuse of the rules of the Bank, or falsification of any document or statement required under the rules.

Section IV: Committee

- The Bank shall be administered by a thirteen (13) member committee, which includes one member from each elementary campus, two members from Hereford Junior High School, one member from Stanton, two members from Hereford High School, one member from classified personnel, one chairperson (ex-officio non-voting member), and one member from central administration. The committee shall be appointed by the Superintendent to serve three-year staggered terms with one-third new members being appointed each year. The Business Manager or designee will be the chairperson of the committee and preside over meetings.

- The committee has the responsibility of judging the validity of the requests and approving or denying the applications. Committee members shall direct questions about the applications to the Business Manager for research. Any information gathered shall be shared with all committee members. A two-thirds majority is required to approve an application. Any appeal must be made in writing to the Business Manager within fifteen (15) days of the committee's decision. Once a decision is made on the appeal, then the decision of the committee is final.

Section V: Use of the Bank

- Members who have exhausted all other paid leave benefits may make application for additional paid leave days for a qualifying illness under one of the plans outlined below. Application for paid leave from the Bank shall be made on the appropriate forms and shall be submitted to the Business Manager within thirty (30) calendar days after returning to duty. A physician must diagnose and certify the illness on the approved form. Applicants may be required to undergo a medical review by a second opinion physician, which shall be at the expense of Hereford I.S.D. If a member is unable to apply (due to the incapacitating nature of the illness) the member's agent or a family member may submit an application.
- The total number of paid leave days granted to members from the Bank shall not exceed the balance of days available in the Bank on the established contribution deadline of each year. In the unlikely event that the days available in the Bank are exhausted for the year, Hereford I.S.D. shall have no obligation to grant any member's request for additional paid leave.
- The total number of days of paid leave available to the member each year, is limited according to the Plan under which the grant is made as listed below. In no case will the granting of paid leave from the Bank cause a member to receive more than the member's regular annual salary. Paid leave days from the Bank shall be granted only for absences from regular duty days and shall not be granted for any days for which the applicant would not be ordinarily be paid.
- Paid leave days from the Bank may not be used for illness or disability that qualify the member for Workers' Compensation benefits.
- Illnesses known to exist by the employee on or before the date the employee initially joins the Bank are excluded as qualifying illnesses until one year from the date of the employee's enrollment in the Bank.

Section VI: Plan Descriptions

- **Plan A**
 - Qualifying Illness - Catastrophic physical illness
 - Person Ill - Employee only
 - Maximum Days - Thirty (30) duty days per Plan Year
 - Payment Per Day - 100% of member's normal daily rate
- **Plan B**
 - Qualifying Illness - Catastrophic physical illness
 - Person Ill - Employee's spouse, child (natural, adopted, or step), or parent (not in-laws)
 - Maximum Days - 20 duty days per Plan Year
 - Payment Per Day - 70% of member's normal daily rate
- **Plan C**
 - Qualifying Illness - Pregnancy of employee
 - Person Ill - Employee only
 - Maximum Days - Normal pregnancy; 10 days per pregnancy granted after delivery
 - Payment Per Day - 70% of member's normal daily rate

Up to ten (10) additional days for complicated pregnancy paid at 100% of member's normal daily rate under the following conditions:

- Days absent prior to the birth with a doctor's note verifying the complicating condition and the need to be off work will be eligible for consideration.
- Days beyond six (6) weeks after the birth with a doctor's note verifying the complicating condition and the need to be off work will be eligible for consideration.