

# **Duncanville Independent School District**

## **Sick Leave Bank Guidelines**

### **I. Purpose and Definition**

- A. The Duncanville Sick Leave Bank (SLB) is defined as a pool of local sick leave days contributed by eligible district employees. Benefits are for catastrophic illness or injury of the SLB member, and for absences due to catastrophic illness or injury, or death of immediate family members. An *Immediate Family Member* is defined as the covered employees' spouse, mother, father, or child whether biological, adopted, foster, or step. The employee must be responsible for providing care to the immediate family member. The Sick Leave Bank Committee may extend this benefit for an individual not conforming to the definition, if there is sufficient evidence to confirm an immediate family member relationship.
- B. The purpose of the SLB is to provide additional paid sick leave days to members of the SLB in the event of a catastrophic illness or injury, medically necessary (non-elective) surgery, or other injury-related temporary disability which renders him/her unable to perform the duties of his/her position. A catastrophic illness or injury is a severe condition or combination of conditions affecting the mental or physical health of the employee 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.
- C. SLB days are defined as those days granted to a member. Days may be requested from the SLB for a qualifying event resulting in an absence of at least ten consecutive days only after the member has exhausted all accumulated local, state, vacation, and non-duty/flex days. Leave from the SLB may not be used for disabilities which qualify the member for Workers' Compensation benefits, other than SLB days awarded for offsetting Worker's Compensation benefits (see II G).

### **II. Summary of Sick Leave Bank Regulations**

- A. SLB enrollment must be completed during Benefit Open Enrollment or, for new hires, within the first 30 days of employment.
- B. All full-time employees are eligible to enroll as members of the SLB.
- C. New members must contribute two local leave days to the SLB.
- D. Members may withdraw up to 30 paid SLB days per year.
- E. An absence necessary for the care of an immediate family member may be granted.
- F. The qualifying absence must be at least 10 consecutive days.
- G. Absences for elective procedures and those covered by Workers' Compensation are not covered. However, the employee may request additional days from the SLB to cover the offset between the employee's Worker's Compensation benefits and the compensation the employee was receiving before the injury covered under Worker's Compensation, in accordance with Board Policy CRE (Legal) and DEC (Local).
- H. Physician verification is required.
- I. An application must be submitted to the SLB Committee for consideration to withdraw paid sick days from the SLB.
- J. The SLB year is September 1 through August 31.

### III. Membership

#### A. Eligibility

1. All full-time employees, in accordance with Board Policy DEC (Local), of the Duncanville Independent School District who contribute two local leave days shall be eligible to participate.
2. Application for membership must be made during the benefits open enrollment period in the spring, or for eligible new hires within the first 30 days of employment. Applications are available online as part of the Benefit Enrollment process.

#### B. Procedure for Joining

1. Any employee who is eligible to join the SLB may do so by contributing two of his/her local leave days.
2. The enrollment period shall coincide with spring Benefit Open Enrollment dates.
3. All employees who join the SLB within the enrollment period are eligible for membership beginning the first day the SLB Year begins.
4. Employees desiring to join the SLB shall complete the online membership authorization form during the online Benefit Enrollment process. Forms can be found within the SLB Participation section of online enrollment.
5. All employees will be subject to pre-existing conditions for the first six months of SLB membership.
6. New employees may join the SLB within the first thirty days of employment.

### IV. Regulations Concerning Contribution of Days

- A. To become a member of the SLB, an employee must contribute two of his/her local leave days.
- B. The local leave day(s) will be automatically subtracted from the member's total local leave days and reflected in the [Skyward Business Access](#) system as soon as administratively possible.
- C. The day(s) contributed become(s) the property of the Duncanville ISD SLB. All contributions will remain in force and cannot be returned even upon cancellation of membership, termination, or resignation of the employee.
- D. Unused SLB days carry over to the next SLB year.
- E. 1. If a member uses any days from the SLB during a SLB year, the employee will be required to maintain membership and contribute additional days the following year to the SLB as follows:  

<a href="#">Awarded 1-6 days</a>	<a href="#">No additional days required;</a>
<a href="#">Awarded 7-19 days</a>	<a href="#">One additional day required;</a>
<a href="#">Awarded 20-30 days</a>	<a href="#">Two additional days required.</a>

  
2. [In the event a member is awarded days from the SLB and is required to contribute additional days the following year as listed in Sec. E \(1\) AND the SLB Three Times Rule requires a day to be subtracted from all continuing members' sick leave balances, the member awarded days will have no more than two days subtracted due to Section E \(1\) and Three Times Rule requirements.](#)
- F. **Three Times Rule:** If the SLB balance is greater than three times the number of returning members, a local day will not be subtracted from those who are continuing their membership [unless Section E \(1\) applies](#). This benefit will only apply to individuals who have completed the enrollment application, who were members during the previous SLB Year, and who did not receive SLB days during the previous SLB Year. This procedure is referred to as the Three Times Rule and is calculated as follows:

- + SLB Balance on July 1
- Any benefits not deducted on applications made by June 30
- + Number of days from members who received benefits during the last SLB Year and must contribute
- + First time SLB members of new SLB Year = Number used to determine activation of Three Times Rule

## **V. Regulations Concerning Granting Sick Leave Days – Withdrawals**

- A. To request the use of SLB days, members must follow the procedures for applying for SLB days beginning on page five of this document.
- B. The SLB Governing Committee will approve or disapprove all requests for SLB days. See Regulations on page six of this document.
- C. Sick leave days from the SLB are available only in the event of catastrophic illness or injury, medically necessary (non-elective) surgery, or other injury-related temporary disability which renders him/her unable to perform the duties of his/her position.
- D. Pre-existing conditions known by the employee on or before the date of joining the SLB will not be covered under provision of the SLB except as noted below. A pre-existing condition is any condition known or suspected, for which an individual receives medical care or takes prescription medication during the six month period preceding the enrollment.
- E. Routine pregnancy is not covered by the SLB. Complications arising from childbirth may be considered by the Committee on an individual basis.
- F. Sick leave days from the SLB will be granted only after the member has exhausted all accumulated local, state, vacation, and non-duty/flex days.
- G. SLB days shall be granted only for absences from working days and will not be granted for holidays, vacation days, non-contract days, or other such days for which the member is not paid. No benefit days will be granted unless an actual absence from normal duty occurs.
- H. Benefit days are retroactive to the first day of eligible absence, once all criteria are met.
- I. The maximum number of SLB days that may be granted to an employee during the SLB year will be 30 days.
- J. If a member who has received less than 30 days from the SLB returns to work and then is ill again with the same or different illness, he/she may reapply to the SLB for additional days, not to exceed a total of 30 for the year. Each separate illness considered must meet the initial criteria of just cause.
- K. Sick leave days from the SLB may not be granted for a period of disability when monies are paid to the employee under the Workers' Compensation Act, except for days requested to cover the offsetting allowed by Board Policy CRE (Local) and DEC (Local). If circumstances should arise in which monies are received from both SLB and Worker's Compensation, other than SLB days awarded for offsetting Worker's Compensation benefits (see II G), then monies received from the SLB must be reimbursed to the district as outlined in the Employee Handbook.
- L. The SLB may provide a member with benefits for catastrophic illness or injury. A member may apply after ten consecutive days of absence for reasons of personal illness or injury. A member may apply in advance for planned absences such as surgery or hospitalization that cannot be safely and reasonably postponed to extended school breaks if it is anticipated that the absence will exceed ten days.

- M. The ten consecutive days of absence provision is modified to include school holidays for employees who elect to postpone their critical medical treatment/care to a school holiday but who are unable to safely and reasonably postpone the critical medical treatment/care to the summer months. The days during the holiday period that an employee would have been absent had the employee not postponed their medical treatment/care will count toward satisfying the ten day absent rule. Pre-approval from the SLB Governing Committee is required.
- N. The ten day consecutive absence requirement may be waived for employees who have a minimum of ten absences due to a serious long term illness/injury but whose absences are not consecutive.
- O. In the event a member is unable to complete the application process to request SLB days, a representative may make application for him/her.
- P. Reimbursement will be made only in the member's regular payroll check for approved benefit days that are actually used.
- Q. If the member dies before all approved SLB benefits (days) are used, the unused days revert to the SLB. There are no survivor benefits under any circumstances.
- R. Days will only be granted to current members. Days may not be contributed from or by the SLB for use by non-members under any circumstances.
- S. All unused sick leave days in the SLB at the end of the SLB year shall be carried over to the next SLB Year.
- T. A contributor will lose the right to utilize the benefits of the SLB only by:
  1. Termination of employment from Duncanville ISD for any reason
  2. Resignation from Duncanville ISD.
  3. Cancellation of participation by the member in writing at any time.
  4. Being on approved leave of absence (non-medical, administrative leave, or disciplinary absences).

## **VI. Procedure for Applying for Sick Leave Bank Days**

- A. SLB members who wish to apply for sick leave days from the SLB must complete the Duncanville ISD *Application for Sick Leave Bank Benefit* Forms and submit all forms to the Duncanville ISD Director of Human Resources. If the member is too ill to complete the application, his/her building or area administrator, friend, or family member may begin the process on his/her behalf.
- B. The deadline for submitting SLB application forms to the Director of Human Resources is thirty working days after return to duty. Application forms are not considered complete until all the information requested on the form has been submitted to the Director of Human Resources.
- C. If a member anticipates a delay in the return of the application from the physician's office, the member may send a duplicate application with an explanatory note to the Director of Human Resources. This will extend the deadline until the written statement is received; however, no action may be taken by the SLB Governing Committee until the statement is available. Lack of supporting documents or physician information may cause a delay in the realization of any benefits by the member.
- D. The SLB Governing Board may elect to waive the physician's statement if it is decided that there is sufficient information to determine the eligibility of the claim without that statement. This will not occur unless the information provided to the SLB Governing Committee by the member, his/her administrator, or a family member clearly indicates that the seriousness of the member's situation or condition warrants such a waiver.

- E. Each illness or injury must be applied for separately, and each must meet the criteria for approval of benefits on its own merits. This may not apply; however, in certain circumstances such as recurring absences due to the same illness.
- F. The SLB Governing Committee will make the final determination of the eligibility of the member's request for days from the SLB. If all criteria are met, the SLB Governing Committee will approve a maximum number of days (not to exceed 30 days) that the member may withdraw from the SLB. In no circumstances may the member withdraw days that exceed his or her actual absence for the period covered by the approved application.
- G. The SLB Governing Committee will meet on the 1<sup>st</sup> Wednesday of each month, except for July, to assure that any decision will be made prior to the cutoff date for payroll determination. If the cutoff date is missed on an individual applicant, the Payroll Office will make corrections on the next payroll check as supplemental pay. Payroll cutoff dates for any position may be verified by checking with the Payroll Department or campus/department administrators. The Payroll Office will not issue special checks.
- H. No one individual is authorized to make SLB or application decisions. Only the SLB Governing Committee may make such decisions.
- I. Applicants who wish to discuss their particular situation may contact:
  - 1. Director of Human Resources for questions regarding SLB Governing Committee meetings and member responsibilities
  - 2. Payroll Office for questions on pay and leave balances

**Please note:** Any employee may access leave balance information [through Skyward Business Access](#). Inquiries regarding the SLB and/or application process may also be submitted through the Business Services/HR Online Help Desk.

## VII. Regulations for Benefits

- A. The maximum number of days granted to any SLB member during any one SLB Year is thirty (30). The maximum lifetime benefit shall be ninety (90) days. The Governing Committee reserves the right to approve, disapprove, or modify the days requested.
- B. A member who has not used the maximum yearly or lifetime benefit may apply for days for any absence that meets all regulations governing the withdrawal of days from the SLB.
- C. If a member does not utilize all approved benefit days, the number of unused days are restored to the member's annual balance and unused days are returned to the SLB.
- D. Employees who are on leave of absence at the beginning of the SLB Year will not be paid for any days awarded from the SLB until the employee has returned to work for a minimum of 18 days. The employee may apply for and be awarded SLB days for the absences at the beginning of the SLB Year but the employee will not be paid for these days until they have returned to work for a minimum of 18 work days.
- E. All decisions regarding the SLB may be appealed in accordance with DGBA(LOCAL).

## VIII. Sick Leave Bank Governing Committee

The governing body for the Duncanville ISD SLB shall be the SLB Governing Committee. Membership on the SLB Governing Committee is restricted to employees who have been members of the SLB for at least two years at the time of their appointment, and who agree to fulfill the obligations of a committee member.

Appointment to the SLB Governing Committee is conducted through an election process, and the term of each elected position is two years.

#### **A. Committee Composition**

The SLB Governing Committee shall be composed of representatives who are current members of the SLB and have been employed by Duncanville ISD for at least three years, from the following areas:

- Place 1: Administrator
- Place 2: Support Personnel
- Place 3: Support Personnel
- Place 4: Instructional Staff
- Place 5: Instructional Staff
- Four Permanent Advisors:
  - Coordinator of Health Services
  - Director of Human Resources
  - Chief Financial Officer
  - Payroll Representative

#### **B. Committee Election Process, Vacancies and Terms**

1. Members of the SLB Governing Committee will be appointed through an annual election process that will be conducted in the spring. Committee Member service will coincide with the SLB Year, September 1 through August 31.
2. Places 1, 3, and 5 will be subject to elections in school years ending in an even year, and Places 2 and 4 will be subject to elections in school years ending in an odd year.
3. Announcement of an upcoming SLB Governing Committee election will be made approximately four weeks before the planned election date, and committee member registration forms will be made available to current SLB members. Interested members must file as candidates using the committee member registration form. They must indicate on the form their category (administrator, instructional staff, or support personnel) and identify the Place they seek.
4. Ballots with instructions and the voting closure date/time will be distributed to current SLB members, and an announcement identifying the successful candidates will be made within one week of the election.
5. The SLB Governing Board has full authority to fill any vacancies that occur during a SLB Year, whether the vacancy occurs by resignation or by failure of the SLB Governing Committee member to attend three consecutive meetings. Appointed representatives serve through the end of the term of the SLB Governing Committee member replaced.
6. **Establishing the SLB Governing Committee:** The first elected SLB Governing Committee will meet in the fall of 2011. All Places will be filled at that time. No election will be held in 2012. The next election will be held in 2013 for Places 2 and 4. Founding committee members serving in Places 1, 3, and 5 will serve a three-year term.
7. SLB Governing Committee members serve (at minimum) two year terms. If re-elected, members may serve consecutive terms. There are no terms limits. A SLB Governing Committee member may be removed from the Committee for failure to attend three consecutive meetings. A representative

may not serve on the SLB Governing Committee after ending employment with the District for any reason.

### **C. Compensation for SLB Governing Committee Members**

SLB Governing Committee members and Advisors must enroll in the SLB each year they serve. However, no day will be subtracted from their local leave during each year of service. Failure to attend three consecutive meetings disqualifies the SLB Governing Committee member or Advisor from retaining membership on the SLB Governing Committee and the SLB for the remainder of the SLB year. If the former board member wishes to maintain membership in the SLB he/she may do so by donating the sick leave days that would have been deducted during SLB enrollment at the beginning of the year.

### **D. Committee Meetings**

1. Meeting times and locations are determined by Committee members at the beginning of each new SLB Year, in accordance with the procedure found at paragraph VI (G), and posted on the staff section of the district website. Some flexibility is necessary due to schedules of members and the filing of applications.
2. A simple majority of the total number of voting Committee members shall be sufficient to conduct official business. Tie votes shall be broken by the permanent advisors in attendance who will cast a collective single vote.
3. The SLB Governing Committee may choose to handle summer applications by mail and/or telephone. For privacy reasons and to protect the confidentiality of applicants, the Committee may not conduct business through the use of email. The Committee will decide prior to the summer break the procedures it will follow to insure that summer employees can receive SLB benefits without undue delay.

### **E. Committee Member Duties and Responsibilities**

1. The SLB Governing Committee shall select a Chairperson, Vice-Chairperson, and Secretary at the SLB meeting held in August of each year. The term of office will be for one year with the term expiring July 31 of each year.
2. The SLB Governing Committee shall review all applications for benefits and determine the maximum number of days to be approved, if any. Approval of the application and the number of days shall be by a simple majority of voting members casting a vote.
3. The SLB Governing Committee shall specify the reasons if an application is rejected or not approved.
4. The SLB Governing Committee shall protect the confidentiality of its members and documents by having all but the originals destroyed after final decisions are made. Original documents will be maintained in the Human Resources Office.
5. SLB Governing Committee members may not vote on an application of any member of his/her family whether the relationship is by blood or marriage.
6. The SLB Governing Committee shall be responsible for oversight of the actions and attendance of SLB Governing Committee members, and may remove any member when it is deemed in the best interest of the SLB and its members. This action does not deprive the representative of his/her

privileges as a SLB member, but he/she forfeits any additional year compensation (if compensation is provided). Simple majority rules; ties are broken by the Permanent Advisors.

7. The SLB Governing Committee will have full and final authority to address any topics or questions not covered herein. Recommendations concerning regulations or rules shall be developed in consultation with the Permanent Advisors.
8. The Chairperson is responsible for coordinating and conducting all official meetings of the SLB Governing Committee on behalf of the Committee, signing all official decisions, and conducting official communications with advisors and SLB Governing Committee members. The Chair has the authority to delegate duties to other representatives as appropriate.
9. The Vice-Chairperson acts as Chair when that person is absent, performing all duties and responsibilities as agreed when assigned by the Chairperson.
10. The Secretary will keep brief minutes of meetings, including actions taken, decisions made, members present, and members absent. The Secretary is responsible for insuring that someone will keep a written record when he or she is unable to attend.