

5406 RULES
RULES for (Sick) Leave Sharing

For the purpose of the Rules for (Sick) Leave Sharing, “employee” shall mean a member of any of the recognized bargaining units and also all other staff members from any of the classifications employed by the Ephrata School District.

Sick Leave Bank - The bank of sick leave days (hours) consisting of donated days from district employees belonging to any of the recognized employee groups that have agreed to participate which are to be used by other employees in need.

Purpose of Bank – The purpose of the bank shall be to provide employees the means to come to the aide of another employee(s) to include self, spouse, child (or step-child or grandchild) living in the same household who is suffering from an extraordinary or severe illness, or a life threatening injury, impairment physical or mental condition which has caused the employee to take leave without pay or is likely to cause the employee to terminate his/her employment. It is agreed that sick leave sharing in Ephrata School District is not intended to be used to care for parents or grandparents. For other definitions, see WAC 251-22-250.

Donation of Days to Sick Leave Bank

All days must be given voluntarily; no employee shall be coerced, threatened, intimidated, or financially induced into donating days. Eligible employees may donate either sick leave or annual leave according to the Sick Leave Sharing Rules. The District does not allow employees to donate personal holidays or personal days to the (sick) leave sharing bank.

Sick Leave Donation: Only employees who have accrued a balance of more than (176 hours) twenty-five (25) days are allowed to transfer sick leave days into the Bank. Only days in excess of twenty-five (25) may be donated in whole day increments. Donated days may not cause the employees balance to fall below twenty-five (25).

Annual Leave Donation:

Employees earning annual (vacation) leave may donate annual leave provided the donation does not cause the employee’s balance to fall below ten (10) days. Employees may not donate excess leave days that the donor would not be able to take because of an approaching date after which the leave cannot be used, i.e. sick days at retirement in excess of the maximum 180 allowed to cash out or annual (vacation) days in excess of the number allowed to carry from year to year.

Eligibility to Receive Sick Leave Sharing

The bank days may be used only by employees of the Ephrata School District. Regardless of which bargaining unit or length of their employment contract, no employee may use more than one-hundred-eighty (180) days from the bank while employed by the Ephrata School District. According to WAC 392-126-090, the lifetime maximum of five hundred twenty-two (522) days of shared leave (or the balance thereof) during total state employment may be accessible to employees who separate their employment from the District. An employee shall be eligible to receive shared leave under the following conditions: employed in a job in which sick leave or annual (vacation) can be used and accrued, is not eligible for time loss compensation (L& I insurance), has abided by district policies regarding the use of sick leave, has exhausted, or will exhaust, his /her annual (vacation) leave and/or sick leave (WAC 392-126-075). For work related illness or injury, the employee has diligently pursued and has been found ineligible to receive benefits under Chapter 51.32 RCW.

Leave eligibility, leave donation, and leave administration is explained in the WAC's 251-22-250 through 290. The employee must have depleted his/her annual and sick leave reserves and has abided by school district policy in using sick leave.

Unused donated leave will not be returned to the employee (donor). All of these days will remain in "the bank" until they are used.

Verification of Medical Condition

The district shall require the employee or his or her legal representative, to submit, prior to approval or disapproval, documentation from a licensed physician or other authorized health care practitioner verifying the severe, extraordinary, or life-threatening nature and expected duration of the condition. (WAC 392-126-095).

Administration of the Bank – Each September 1, each participating employee group shall name two employees who have (in the past) donated days to the Bank to form the Bank Administrative Committee (BAC). The school district will do its best to keep the names of the BAC committee members confidential.

BAC shall be to promulgate, enforce and administer rules and procedure for the orderly and fair collection and use of the Bank days. These rules shall be subject to approval by the School Board. Procedures shall allow employees to donate to a specific individual, or individuals, or to donate to the general pool. However, unused days donated will not be returned to the employee donating such leave but shall remain in the general pool until they are used. BAC shall determine in each case or request that the employee's absence and use of Bank days are justified and that the employee has depleted or shall deplete his/her personal accumulated sick leave and/or annual leave days.

BAC shall solely determine the number of days granted from the Bank to each employee using the Bank days. Time donated to the Bank is specified in days. Once received into the Bank it is then converted to hours and dispensed in hours to the receiving employee. (To clarify: an eight hour a day employee donating six days equals 48 hours donated into the Bank, a four hour a day employee using six days from the bank would use 24 hours from the Bank.)

While the employee is on leave using days from the Bank he/she shall be classified as an employee and receive the same treatment in respect to salary and benefits as they would normally receive if using accumulated sick leave.

FORMATION OF BAC

The committee shall consist of two members from the Ephrata Education Association (EEA), two members from the Ephrata Classified Employees (PSE), two members from the Ephrata Administrators group and two members from the Ephrata Central Office group. The Superintendent shall act as an ex-officio member of the committee.

These eight members shall be appointed prior to considering the first sick leave sharing request for the school year in progress. Those members shall be employees that have donated days to the bank. The committee will choose a chairperson and review the purpose of the Bank and the responsibilities of the BAC Committee.

Use of Bank Days - At such time that the district office receives an employee request for use of Bank days the district office will notify the chairperson who shall call a meeting of the committee members to first determine the legitimacy of the request, and then determine the number of days to be granted to the employee. If the employee is not eligible the chairman will notify the superintendent who will notify the employee in writing that their request has been denied.

If Bank days are not sufficient to cover the approved request the district office shall put out a call to all employees of the need to donate days if they so desire. If a request by another employee to use Bank days is received and approved by the committee, the amount of days needed for the first employee's request shall be preserved and only days in excess shall be used for the second employee's request. The district office shall put out a request for anyone to donate days (hours) to the Bank pool if it has been depleted.

Employees donating days may request their days (hours) be used by a specific employee. No days shall be returned to employees who donated and days shall become part of the pool once the receiver has no longer need of such days. Days donated to a specific employee shall only be preserved for such employee through the original request period, and in no case beyond the end of that school year. At the end of each school year any and all remaining days will revert to the pool.

After two calls for donations, if the District does not receive donated days, the employee may then draw sick leave sharing days from the bank. If there is more than one employee requesting shared days the remaining days in the bank will be shared amongst eligible recipients. In the case no donations are received and the bank days are depleted, the employee would be denied shared days.

Each year on the last calendar day before the first day of the new school year any days held in reserve for an individual shall revert to pool days to be used by anyone requesting and approved by the BAC committee use of such days. No request for sick leave sharing shall be carried over from school year to school year but shall only be granted for the remainder of that school year. For an employee whose need for sick leave sharing continues beyond the current school year, it will be necessary for any eligible employee still in need to submit another or resubmit a request to use sick leave sharing days.

