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APPENDIX F

Sick Leave Donation Program

The District and the Teachers Association of Long Beach agree to the implementation of the following Sick Leave Donation Program. This program shall be available to all members of the bargaining unit. The District and the Association further agree to review and evaluate the effectiveness of this plan after a full year has elapsed following the ratification of this contract by both the Association and the Board of Education. The purpose of the Sick Leave Donation Program is to provide assistance to bargaining unit members suffering from a catastrophic physical illness or injury. The Sick Leave Donation Program provides employees with an opportunity to be restored to health so they can return to work.

Definitions

As used herein the following definitions are agreed to in reference to the Sick Leave Donation Program.

Work Day: A work day, for the purposes of this Article, is a day when designated parties to the approval process are at work for all or part of the day.

Donation Day: A donation day is defined as eight (8) hours for all employees.

Pay: Pay is defined as the employee's regular daily rate excluding compensation for additional hourly assignments.

Sick Leave: Sick leave available for donation is defined as the employee's accrued monthly sick leave pursuant to Article VII of the Agreement. Accrued hourly sick leave is excluded from any donations to the program.

Extended Sick Leave: These are additional days of sick leave which have been donated by other District employees, both bargaining unit members and employees who are not members of the bargaining unit, from their own accrued monthly sick leave balances. These days of additional leave may be used to extend the recipient's sick leave and this leave may be taken on either consecutive or non-consecutive dates. The extended absence of the recipient must be due to the same illness or injury, conforming to the requirements for use of statutory sick leave. Illness or injury which qualifies as Workers' Compensation Leave is excluded from this program.

Catastrophic Illness or Injury: Catastrophic illness or injury is defined as an illness or injury that has been concisely identified as such by the treating physician; the medical prognosis is the employee will be incapacitated for an extended period of time; and the employee's absence exceeds the individual's accrued paid leave.

APPENDIX F – SICK LEAVE DONATION PROGRAM (continued)

Eligibility Requirements for Leave Recipients:

1. A bargaining unit member is eligible for extended sick leave if
 - a. he/she has exhausted all of his/her accrued paid leave, which includes but is not limited to sick leave;
 - b. he/she is suffering from a catastrophic illness or injury that is expected to incapacitate him/her for an extended period of time;
 - c. the incapacity suffered by the employee requires him/her to take time off from work beyond the number of days covered by the employee's accrued paid leave, and a financial hardship would result for the bargaining unit member.
2. The maximum number of days which a recipient may receive for the same illness shall be no more than the total number of duty days in the employee's work year.
3. Sick leave accrued by the recipient during the time he/she is on extended sick leave shall be credited against the employee's days of absence. These days are in addition to the maximum number of days of extended sick leave which the recipient is entitled to receive.
4. Unit members receiving remuneration under worker's compensation provisions shall not be eligible to draw extended sick leave.
5. Employees who may be eligible for disability payments under the State Teachers Retirement System (STRS) or the Public Employees Retirement System (PERS) shall apply for benefits at the earliest opportunity. Upon approval for receipt of STRS or PERS disability payments, the unit member's eligibility to continue to draw extended sick leave shall cease.

Guidelines for Donor Participants:

1. Any member of the bargaining unit who has available monthly sick leave balances may donate to an employee who is in need of extended sick leave. The required minimum donation shall be one day (eight hours).
2. Employees who are not members of the bargaining unit may also donate to the employee who is in need of extended sick leave, but under the provisions of this program, employees who are not members of the bargaining unit will not be eligible to draw such leave.
3. If an employee wishes to contribute more than one day, he/she may donate up to a total of five (5) days per year to a specific employee who has been authorized for extended

APPENDIX F – SICK LEAVE DONATION PROGRAM (continued)

1 sick leave. Employees donating more than one (1) day must have a balance of twenty
2 (20) days of accrued monthly sick leave at the time of donation.
3

- 4 4. Donating employees must acknowledge in writing the donation is voluntary,
5 irrevocable, and confidential and this written acknowledgement must be submitted to
6 the Director of Payroll. Leave donated within the provisions of this program shall be
7 deducted from the employee's accrued monthly sick leave days only.
8
9

10 **Application and Approval Process for Extended Sick Leave:**
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- 12 1. In the event a bargaining unit employee suffers a catastrophic illness or injury, he/she
13 shall notify his/her immediate supervisor or the payroll clerk at his/her work site as to
14 the reason for his/her absence and identify said reason as a catastrophic illness or
15 injury. A *Request to Participate in Sick Leave Donation Program*, shall be submitted
16 by the affected employee to his/her principal/site administrator or his/her designee
17 before paid sick leave is exhausted. Medical verification of the catastrophic illness or
18 injury shall be provided by the requesting employee at the time the *Request to*
19 *Participate in Sick Leave Donation Program* form is submitted.
20

21 In the event the unit member is personally unable to request this extension of sick
22 leave, the unit member's designee may make the request on behalf of the applicant.
23

- 24 2. The principal/site administrator, or his/her designee, shall, within three (3) working
25 days of receipt of the *Request to Participate in Sick Leave Donation Program* form
26 and medical verification, review and fax and/or electronic mail both, along with a
27 recommendation for approval/ disapproval, to the appropriate Assistant/Deputy
28 Superintendent or his/her designee, who shall be responsible for the final decision to
29 approve or deny the employee's request. Final approval or denial will be made and
30 faxed to the principal/site administrator or his/her designee within three (3) working
31 days following receipt in the office of the Assistant/Deputy Superintendent.
32

- 33 3. The principal/site administrator or his/her designee shall, within three (3) working days
34 following notification of final approval, circulate by means of fax and/or electronic
35 mail the *Donation of Sick Leave Hours* form to all schools and offices with a request to
36 employees to donate sick leave days to the employee in need. The name of the
37 employee shall be included in that request.
38

- 39 4. In the event the principal/site administrator or his/her designee receives notification the
40 *Request to Participate in Sick Leave Donation Program* form has been denied by the
41 Assistant/Deputy Superintendent, the principal/site administrator or his/her designee
42 shall within three (3) working days notify the requesting employee or his/her designee
43 of this decision.
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APPENDIX F – SICK LEAVE DONATION PROGRAM (continued)

- 1 5. Upon being informed of a need for a sick leave donation and having decided to make a
2 donation, donor employees shall submit the *Donation of Sick Leave Hours* form
3 directly to the Director of Payroll.
4
- 5 6. Upon receipt of the *Donation of Sick Leave Hours* forms from the donor employee, the
6 Director of Payroll shall be responsible for processing these forms. This task shall
7 include:
8
 - 9 a. Verifying that prospective donors have sufficient sick leave balances to allow
10 for the donation indicated by the employee.
11
 - 12 b. Crediting the receiving employee with donated sick leave. Donated sick leave
13 will be provided in increments of no more than forty (40) total work days at
14 any one time.
15
 - 16 c. Maintaining a record of the names of donors, the number of days each
17 employee has donated, and the dates the *Donation of Sick Leave Hours* have
18 been received.
19
 - 20 d. Monitoring receiving employees' extended sick leave balance to ensure that
21 donated leave transferred does not exceed the total number of days in the
22 receiving employees' regular work year.
23
 - 24 e. Notifying payroll clerks and employees at those work sites/schools to which
25 donors are assigned that donations have occurred and that donor employee sick
26 leave balances need to be adjusted accordingly on records at the work
27 site/school.
28
 - 29 f. Notifying the payroll clerk at the work site/school to which the receiving
30 employee is assigned that the employee has received an initial extended sick
31 leave increment of up to forty (40) days. In the event that additional
32 increments are provided, a similar notification shall be communicated to the
33 payroll clerk.
34
- 35 7. Donated sick leave days will be distributed to the recipient by the Payroll Department
36 in increments of 40 days (320 hours) assuming that the number of days donated total
37 forty (40) or more. If less, the final increment shall reflect the balance of those days
38 donated.
39
- 40 8. If the requesting recipient exhausts all paid sick leave before final approval is secured
41 and is placed on statutory leave before the sick leave donation is approved, statutory
42 leave charged to the employee shall be restored upon determination of approval and
43
44 days previously charged to statutory leave shall be charged to the sick leave donation
45 program.
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