



**POTEET ISD  
SICK LEAVE BANK  
RULES AND PROCEDURES**



Poteet ISD has established a sick leave bank that allows employees to donate local leave days in order to become a member of the bank.

Leave contributed to the bank shall be solely for the use of participating employees. An employee who is a member of the bank may request a maximum of thirty (30) days of leave from the bank per fiscal year if the employee or a member of the employee's immediate family experiences a catastrophic illness or injury and the employee has exhausted all paid leave.

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. Examples of catastrophic illnesses which may qualify for, but are not limited to, include: cancer, stroke, heart disease, multiple sclerosis, muscular dystrophy, and/or any other debilitating diseases.

Pregnancy and delivery, corrective surgery, cosmetic surgery, and uncomplicated fractures will not be considered a catastrophic illness covered under this Sick Leave Bank except when unusual complications occur.

Leave from the Bank may not be used for permanent disabilities or disabilities which qualify the member for Workers' Compensation benefits unless the member has exhausted all Workers' Compensation as well as his/her own accumulated sick, personal, and emergency leave.

**ELIGIBILITY**

All full-time Poteet Independent School District employees who qualify for sick leave benefits are eligible to participate in the Bank.

Anyone who joins the Sick Leave Bank with a pre-existing condition or illness for which they have received treatment within the last ninety (90) days, will experience a waiting period to utilize the Sick Leave Bank for illness resulting from or related to that specific condition.

From the date of the member's signature on the enrollment application, the member must remain ninety (90) days treatment-free or complete one full year of membership in the bank for the waiting period to be waived.

For the purpose of this section, "treatment" shall mean any period of hospitalization, doctor's treatment, clinic treatment, surgery, diagnosed procedure or prescription.

## ENROLLMENT PERIOD

The annual enrollment period shall begin with the first working day of August and end with the last working day of September.

New employees who are employed after the close of the enrollment period must enroll during the first thirty (30) days of their employment with the district in order to be eligible for the Sick Leave Bank.

Non-members returning from medical leave or disability after the close of the enrollment period must join within thirty (30) days upon returning to duty. A waiting period may be apply to those applicants.

Eligible employees who do not elect to join the Sick Leave Bank at the first opportunity afforded to them shall not be permitted to join the Sick Leave Bank until the subsequent annual open enrollment period.

If the bank has sufficient days for a one-year period, the Superintendent may waive a September enrollment period for employees who are not already members of the bank. This waiver does not replace the requirement for new employees to enroll during the first thirty (30) days of their employment with the district in order to be a member of the bank.

If an occasion should arise when the Sick Leave Bank is exhausted, the Superintendent may open a call period for both members and non-members of the bank to contribute a local day during the year. In this situation, an existing member must contribute an additional day in order to remain in the bank. The number of days in the bank will not be allowed to enter a negative (overdrawn) position.

## CONTRIBUTIONS

*Effective July 26, 2018* the rate of contribution for initial membership shall be *one (1)* local leave days per member. This rate shall remain the same unless the Superintendent of the school district announces a different rate prior to the open applicable period.

Only local leave days may be contributed to the Sick Leave Bank. Days contributed to the bank that are not used shall be carried over to the next school year.

Contribution will be authorized by the employee and submitted on the appropriate form during the enrollment period and shall continue from year to year. Contributions are non-refundable.

Members who draw on the sick leave bank will be required to contribute additional local leave days at the subsequent annual enrollment for continued membership. Those employees who choose not to donate local leave days will no longer be members of the sick leave bank effective September 1 of the plan year in which they utilized the bank.

The Poteet Independent School District agrees to commit the funds necessary to support utilization of a maximum number of earned sick leave days each school year for the Sick Leave Bank.

### APPLICATION

Any Sick Leave Bank member shall be eligible to submit an application to the Human Resource Department when it is determined that the illness or disability is catastrophic and will exhaust all of the member's accumulated leave.

All requests to draw upon the Sick Leave Bank must be made with a *Sick Leave Bank Member Request for Leave Form*. All requests must be accompanied by a physician's statement on a form provided by the Sick Leave Bank Committee confirming the cause of illness or confinement, the probable length of illness or confinement, and certifying the existence of a disability to perform assigned duties.

The information on the form must be legible, personally signed by the physician and completed in lay language. The Sick Leave Bank Committee will not honor any physician's statement unless it is on the designated form.

An applicant may be required to undergo a medical review at the applicant's expense by a second-opinion physician of the Sick Leave Bank Committee's choice at any time. This physician's report is to be sent directly to the committee before the committee may act upon the member's application for a grant from the Sick Leave Bank. Failure to comply with this request will automatically cancel benefits from this program. In the event that this request by the committee for a second-opinion causes a time lapse between the exhaustion of the member's accumulated leave and the approval for utilization of a Sick Leave Bank Grant and the second opinion confirms the application the Sick Leave Bank Committee may make the grant retroactive to the date following the exhaustion of the member's accumulated leave.

In the event that a member's incapacity is of such a nature that the member cannot personally apply for a grant, the application may be submitted to the Sick Leave Bank Committee by a member of the employee's family or the employee's supervisor.

All Sick Leave Bank forms are available through the Poteet Independent School District payroll office and shall be sent to any employee at his / her request.

### LOSS OF ELIGIBILITY

A member of the Sick Leave Bank will lose the right to use the benefits of the Sick Leave Bank when any of the following exists:

1. During a period of suspension without pay.
2. A member's written authorization to discontinue his/her annual contribution of sick leave day(s), as of the due date.
3. Any abuse or misuse of the Rules of the Sick Leave Bank.

4. Employment elsewhere during the period for which the employee has received a grant from the Sick Leave Bank.
5. Failure to apply for Disability Retirement if such conditions are met and the doctor has given reasonable assurance that the employee will not be able to return to employment.
6. Failure to apply for workers' compensation for any occupational condition, ailment, or injury arising out and in the course of employment.

#### CANCELLATION OF MEMBERSHIP

Termination of employment with Poteet Independent School District will automatically result in cancellation of membership to the sick leave bank. Any contributions will be non-refundable.

If an employee is re-hired they will be required to follow the enrollment and contribution guidelines listed above. Prior contributions to the bank will not re-instate membership. One (1) local leave day will be required for re-enrollment to the sick leave bank.

#### ADMINISTRATION OF PROGRAM

The Sick Leave Bank will be administered by a five-member committee. The committee shall consist of the district's head nurse, a principal (to be selected by random drawing), and one representative each for the professional personnel, paraprofessional personnel, and auxiliary personnel. The representatives for the professional, paraprofessional, and auxiliary personnel shall be elected by the members of the Executive Sick Leave Bank Committee (identified below). With the exception of the head nurse, committee members shall serve for a two-year term. A member of the payroll department will serve on the committee as a non-voting member.

The district's head nurse will serve as chairperson of the committee. The chairperson will serve on an Executive Sick Leave Bank Committee alongside the superintendent's designee. The district's Sick Leave Bank facilitator (a payroll department employee) will provide the necessary paper work to the committee for review and will be present during the meeting to answer technical questions.

The Sick Leave Bank Committee shall have the responsibility of reviewing bank member requests, verifying the validity of requests, recommending approval or denial of the request, and providing the Sick Leave Bank facilitator with the information to communicate its recommendation to the Bank Member and the Payroll Department within ten (10) working days of receipt.

The Executive Committee shall have the responsibility of establishing consistency and uniformity of the Sick Leave Bank committee. In addition, the Executive Committee shall hear appeals from members of the bank who have had their sick leave bank request denied. Appeals must be made within ten (10) working days of denial. Any further appeals shall be in accordance with DGBA (LOCAL), beginning with the Superintendent or designee.

The Payroll Department will maintain records, make disbursements, and monitor all Sick Leave

Bank documents. In addition, the Payroll Department shall provide information to the Sick Leave Bank Committee, the Superintendent, or the Board of Trustees upon request for any data maintained in their files with regard to a Member's leave status, membership contribution, and use of the Sick Leave Bank.

Leave grants from the Bank shall be awarded at a maximum of thirty (30) days for the individual applicant, per fiscal year. If a Bank member does not use all of the days granted from the Bank, the unused days shall be returned to the Sick Leave Bank.

#### ADMINISTRATION OF PROGRAM (Continued)

Sick leave grants will not automatically be carried over from one school year to another. All Bank grants end as of the employee's contract/scheduled work period. Bank grants must be renewed at the beginning of each contract year. In no case will the granting of sick leave days from the Bank cause a member to receive more than his/her annual salary.

Recommended changes to the program and its rules and procedures may be made by a majority vote of the Executive Sick Leave Bank Committee to the Superintendent. Any changes made in the rules of the program must be approved by the Superintendent. The Payroll Department shall inform district employees of any changes in rules and procedures prior to the annual enrollment period.

The existence of the Sick Leave Bank does not negate or eliminate any other sick leave policies of the PISD Board of Trustees, nor does it in any way negate the rights of the individual employee who participates in the Bank to other sick leave benefits included in the policies of said Board of Trustees.

Receiving a grant from the Sick Leave Bank may not prevent the Personnel Office from staffing an employee's position. The Poteet Independent School District may declare a position vacant and may attempt to staff the position when an employee exhausts his/her own accumulated personal sick leave days. For eligible employees, the district offers job protection under the *Family Medical Leave Act*. Additional information pertaining to the act is available through the Payroll Department.

POTEET INDEPENDENT SCHOOL DISTRICT

SICK LEAVE BANK MEMBERSHIP APPLICATION

APPLICATIONS ACCEPTED ONLY DURING  
ANNUAL OPEN ENROLLMENT PERIOD EXCEPT FOR  
NEW EMPLOYEES WHO MUST ENROLL WITHIN 30 DAYS OF EMPLOYMENT

\_\_\_\_\_  
Last Name                      First Name                      Middle Initial                      Social Security #

Employee Category (Check One)

\_\_\_\_ Professional                      \_\_\_\_ Para-Professional                      \_\_\_\_ Classified/Auxiliary

\_\_\_\_\_  
Home Address                      City                      State                      Zip Code

\_\_\_\_\_  
Job Assignment                      Assigned Campus/Department                      Hire Date

Check Yes/No for each of the following questions.

Yes                      No

1. Have you received treatment for any illness or condition in the past 90 days? If yes, explain on line below.

\_\_\_\_\_

2. Did you have five (5) days of accumulated sick leave at the end of last year's contract period?

\_\_\_\_\_

3. Did you begin your employment with Poteet ISD this school year?

\_\_\_\_\_

Statement of Intent:

I hereby request the Poteet ISD Payroll Department to assign one earned sick leave day from my leave balance to the Sick Leave Bank. I agree that this contribution will remain in the Sick Leave Bank regardless of my utilization of the Sick Leave Bank. I understand that should I lose the right to use the benefits of the Sick Leave Bank or my membership be cancelled as specified in the Sick Leave Bank Rules and Procedures, the earned sick leave days I have contributed will remain in the Sick Leave Bank.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_ I am not interested in becoming a member of the sick leave bank at this time.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date