

Sick Leave Bank

The District has established a Sick Leave Bank ("Bank") for active duty employees who earn sick leave. The purpose of the Bank is to provide leave for employees who experience catastrophic illnesses or accidents that require absences which exceed their accrued leave but do not activate long-term disability insurance provisions. The Bank Board year will be from July 1 through June 30 each year.

The Bank Board will receive requests for use of days from the Bank and will decide on these requests and on any appeals arising from their decisions according to the regulations contained in these procedures. All information concerning a request will be considered confidential. The Bank Board may make suggestions for improving the operation of the Bank, however, any changes to these procedures must be approved by the Superintendent.

The Bank Board will issue an annual report to the Superintendent as well as provide any updates as requested by the Superintendent.

Rules

Definitions

1. For the purpose of this policy, catastrophic or prolonged illnesses or accidents will include illnesses or accidents so severe which necessitate absences in excess of 30 days and will exclude elective surgery and normal pregnancy and delivery. For the purposes of this policy, the Bank Board will determine whether the illness or accident is catastrophic based on the information presented.

2. Intermittent catastrophic illness is defined as a catastrophic illness that may be an "ongoing" illness to the employee that would require the member to use sick leave at intermittent times due to the type of illness or accident. The employee/member may be able to return to work for a period of time but must again take sick leave due to special therapy or treatment. In an intermittent catastrophic illness, the Bank procedures are not dependent upon the employee/member being out of work for at least 30 workdays. Rather, an accumulation of 30 absences due to illness would be required before approaching the Bank for additional leave.

3. Earned sick leave day means a day actually earned in active service through working and does not include days advanced by the District.

4. New members are defined as employees joining the Bank for the first time or employees who are rejoining the Bank.

5. Employees who are approved will receive the equivalent of two-thirds of their daily pay rate for each day approved by the Bank Board.

Eligibility

1. All employees who earn sick leave and have accrued one day of earned sick leave are eligible to join the Bank. Participation is voluntary. To become a member, an employee must complete a membership application and contribute one day of earned sick leave during the open enrollment period, or in the case of a new employee, the employee may enroll within 31 calendar days of reporting to work. Additional contributions, as needed, will be automatically transferred to the Bank according to Bank procedures (See below: "Procedures and regulations for membership")

2. New employees, who fail to enroll during their first opportunity, may enroll during a subsequent open enrollment period, however, when such employees join the Bank, they will have a one-year waiting period before becoming eligible to submit an application for use of Bank days

3. Persons continuing employment with the District in a new fiscal year, who are not members of the Bank, may join the Bank within an open enrollment period; however, such employees will have a one-year waiting period before becoming eligible to submit an application for use of Bank days

4. Members utilizing sick leave days from the Bank without a break in service will constitute eligibility for continued coverage provided all other requirements for Bank benefits are met.

Procedures and regulations for membership

1. An open enrollment period will occur in October of each school year or within the first 31 calendar days on the job for new hires. Additional open enrollment periods may be declared at the direction of the Bank Board.

2. The Bank Board reserves the right to make additional assessments as deemed necessary to maintain the solvency of the Bank. If a special assessment becomes necessary and a member has exhausted all of his/her sick leave, the Bank will assess the individual as sick leave days are earned. At that time, the number of days assessed shall include the deferred and, if applicable, current assessment.

3. Employees who initially choose not to participate in the Bank may enroll during subsequent open enrollment periods after a one-year waiting period as specified above under "Eligibility," numbers "2" and "3." However, the employee must contribute a number of days (maximum of 4 days) equal to those he/she would have contributed had he/she been a member since the initial enrollment opportunity at hiring or at the initial open enrollment period

4. Employees wishing to be a participating member of the Bank shall complete a "Sick Leave Bank Membership Application" that authorizes the deduction of one day of sick leave for the Bank. The Deduction will automatically be transferred to the Bank within 30 days of each subsequent enrollment period.

5. All contributions to the Bank remain the property of the Bank and under no circumstances can a member withdraw his/her accumulated days from the Bank. A member may cancel his/her membership during the open enrollment period by written notification to the Bank Board.

Regulations for uses of the Bank

1. In order to make application to receive days from the Bank, an employee must meet the criteria specified below.

a. The employee must be a current member of the Bank

b. The employee must have been out of work for 20 or more workdays due to a catastrophic or prolonged illness or accident. An exception may be made for intermittent catastrophic illness as defined above.

c. There will be no reimbursement from the Bank for the first 30 workdays of absences due to catastrophic or prolonged illness or accident. If the Bank Board approves the application, the first allowable day for use of Bank days would be the thirty-first workday of absence or whenever all accrued leave including sick, personal and annual leave is exhausted, whichever is later.

d. The employee will use all of his/her cumulative leave including sick, personal and annual leave for reasons indicated in District policy. The Bank Board may review an employee's attendance records, and the Bank Board may deny a request for leave from the Bank if the Bank Board determines abuse

2. A member of the Bank who meets eligibility criteria as described in this regulation may apply to draw upon the Bank by completing an "Application for Use of Sick Leave Bank" form. This application must be accompanied by a "Physician's Confirmation" form confirming the nature and expected duration of the disabling condition

The employee is encouraged to submit an "Application for Long-Term Disability/Disability Retirement Benefits" when the "Application for Use of Sick Leave Bank" is submitted or at the earliest possible date that the employee's physician indicates that there is a possibility that the illness could last for more than 90 calendar days.

The employee approved for days from the Bank should submit an "Application for Long-Term Disability/Disability Retirement Benefits" after the employee has received the equivalent of 35 days from the Bank per fiscal year or per illness. If the employee fails to submit the application within the first 40 days received from the Bank, the employee will not receive any days beyond 40 days until the application is completed and submitted.

In case the member is incapacitated, his/her application to draw upon the Bank may be submitted to the Bank Board by a member of his/her immediate family or other person deemed to be appropriate by the Bank Board.

Members utilizing sick leave from the Bank shall furnish or have furnished to the Bank Board a medical report every 30 calendar days, and the report shall include a statement signed by a licensed physician describing the illness and a prognosis for a date to return to work. The physician's original statement must be sent directly to the Human Resources/Payroll Clerk (a fax will not be accepted). If this statement is not received within 30 calendar days, the member will cease receiving days from the Bank. The member will begin to receive days effective the day the Bank Board accepts the new statement.

At the option of the Bank Board, a member will be required to submit, at the member's expense, a medical review for a second opinion by at least one physician. The medical review must be sent directly to Human Resources.

3. An application for Bank days should be submitted to the Director of Human Resources--Employee Services who will schedule meetings of the Bank Board.

4. All members applying for days from the Bank will be notified in writing of the decision of the Bank Board.

a. All approved applications will be forwarded to Human Resources and Payroll for processing. When a day or more is granted, payment will be made in accordance with the District's payroll procedures.

b. All denied applicants will be notified in writing by the Bank Board. Members may appeal a rejected application once by reapplying and submitting additional documentation and/or a second physician's opinion on the "Physician's Confirmation" form.

c. The Bank Board will respond to all appeals in writing.

d. Initial decisions and appeal decisions will be made by a majority vote of the Bank Board quorum, which will consist of a majority of the voting members appointed by the ex-officio members. Bank Board decisions concerning appeals are final and shall not be the subject of a grievance.

5. An employee may not use more than 70 days from the Bank in a fiscal year, July 1 through June 30. The employee will be allowed to make special provisions through Employee Benefit Services to assure that the employee will not lose his/her insurance coverage while using days approved by the Bank Board.

6. The maximum number of days that may be drawn from the Bank for any single catastrophic or prolonged illness or accident is 70 days. Employees will receive the equivalent of two-thirds of their daily pay rate for each day approved by the Bank Board.

7. Leave from the Bank will not be granted retroactively to the previous fiscal year.

8. Members who have been approved for workers' compensation due to a job-related injury, or who have received disability benefits, will not be eligible to apply for Bank days.

9. Bank days cannot be granted for illness or hospitalization due to normal pregnancy except in extreme complications of pregnancy, e.g., ectopic pregnancy, complications requiring intra-abdominal surgery, toxemia with convulsions, etc.

10. Members shall not be entitled to earn any leave including annual, sick and personal while drawing leave from the Bank.

11. A member's right to use the benefits of the Bank will be canceled for the following reasons:

- a. Termination of employment with the District;
- b. Cancellation of Bank participation by the member which is effective only at the close of the member's work year or the end of the fiscal year, whichever comes first;
- c. Being gainfully employed while using Bank days;
- d. Falsifying or causing to have falsified, supporting documents used by the Bank Board in making decisions; and/or
- e. Receiving payment under a disability plan such as the S.C. Long-Term Disability Program

12. Forms to be used by employees for membership application, application for sick leave days from the Bank, and physician confirmation are available from Employee Benefit Services

13. No appeals or grievances regarding the Bank will be entertained by the District administration or the Horry County Board of Education. Decisions made by the Bank Board are final.

Membership of the Sick Leave Bank Board

NOTE. Voting members of the Bank Board must be members of the Bank. Board Members will serve three year terms. There will be eleven voting members of the Board. The Bank Board will determine the most effective method to fill any Bank Board vacancies which may occur.

Members appointed by ex-officio members:

- 1 Principal Representative
- 2 Teacher Representatives
- 1 Teacher Representing Horry County Palmetto State Teachers Association, if exant
- 1 Food Service Representative
- 1 Secretary Representative
- 1 Custodian Representative
- 1 Aide Representative
- 1 District Office Administrative Representative
- 1 District Office Support Staff Representative
- 1 Maintenance Department Representative

Ex-officio members (non-voting):

Director of Human Resources–Employee Services, Chairperson
Director of Health and Safety Services, Vice-chairperson
Human Resources, Secretary
Special Education Coordinator/Supervisor of Psychological Services.

Note: The Board will be transitioning to term membership during the next three school years. The Board will appoint four new members each year and four existing members will rotate off the Board. During the third year of each cycle, three new members will be appointed to the Board and three members will rotate off the Board. During the transition period, the following members of the Board will rotate off the Board on June 30 of the indicated school year:

2014-15

1 Teacher Representative

1 Teacher Representing Horry County Palmetto State Teachers Association, if exant

1 Secretary Representative

1 Aide Representative

1 District Office Administrative Representative

2015-16

1 Principal Representative

1 Food Service Representative

1 Teacher Representative

1 District Office Administrative Representative

2016-17

1 District Office Support Staff Representative

1 Maintenance Department Representative

1 Custodian Representative

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