

GREATER FALL RIVER VOCATIONAL SCHOOL DISTRICT SICK LEAVE BANK BOARD  
MINUTES OF MEETING  
251 STONEHAVEN ROAD, FALL RIVER, MA  
DISTRICT OFFICE CONFERENCE ROOM  
NOVEMBER 14, 2023

In attendance: Rajiv Nehra, Fr. Jay Mello, Mitchell Sweet, Jonathan Root

Also in attendance: Brian Bentley, Andrew Rebello, Gregory Brilhante, and Helena Neves.

The meeting began with a roll call at 3:15 PM.

It was moved by Fr. Jay, seconded by Mr. Sweet and voted unanimously to dispense with the reading of the September 14, 2023 minutes and approve them as recorded.

Attorney Brilhante stated that by virtue of the Diman Teachers Association (DTA) agreement an election of the chairman is needed and asked for a nomination from the DTA members. Mr. Sweet nominated Mr. Root as the Chairman for the 2023-2024 school year.

It was moved by Mr. Sweet, seconded by Dr. Nehra and voted unanimously to elect Mr. Root as the Sick Leave Bank Board Chairman for the 2023.2024 school year.

Attorney Brilhante requested to take agenda item 1.7 Executive Session out of order and read the reason for to enter into executive session.

It was moved by Dr. Nehra, seconded by Fr. Jay and voted unanimously on a roll call to enter into executive session at 3:17 p.m. to discuss the sick bank request by Karyn Robertson. Mr. Root, Dr. Nehra, Fr. Jay and Mr. Sweet voted yes.

It was moved by Dr. Nehra, seconded by Fr. Jay and voted unanimously on a roll call to rise into Open Session at 3:18 pm. Mr. Root, Dr. Nehra, Fr. Jay, and Mr. Sweet voted yes.

Attorney Brilhante began the discussion of agenda item 1.5 - Paid Family and Medical Leave (PFML). Mr. Kitchen stated that the district is exempt from participating in PFML as a benefit and if it was to opt in, it would be for all staff. PFML benefits are funded by the contributions on every dollar wages earned by an employee. Mr. Kitchen stated the mass.gov has a calculator that can be used and provided an example of what the individual contribution and benefit would be. Mr. Kitchen further stated that an employee applying for PFML can use sick time for the seven day waiting period but once it is in effect they will not be able to supplement the difference with sick time because it will be counted as earnings therefore reducing the PFML benefit amount. Mr. Root stated that based on the information provided, the only benefit to the employee is that sick time will not be used.

Dr. Nehra asked if PFML is paid for by the Commonwealth. Mr. Kitchen stated that contributions would be made by the District and the employee. Mr. Kitchen further stated that the District offers short term and long term disability insurance to all employees.

There was further discussion the benefits of PFML, the elimination of sick bank if PFML goes in effect, who would benefit from PFML, and who would ultimately approve to opt in.

Mr. Kitchen stated that the District offers a great benefit package and in general most individuals accumulate sick time. Mr. Sweet stated that the issue is when an individual has exhausted their sick time and

GREATER FALL RIVER VOCATIONAL SCHOOL DISTRICT SICK LEAVE BANK BOARD  
MINUTES OF MEETING  
251 STONEHAVEN ROAD, FALL RIVER, MA  
DISTRICT OFFICE CONFERENCE ROOM  
NOVEMBER 14, 2023

sick bank time. Attorney Brilhante stated that access to sick bank days needs to be defined as this was meant for serious illnesses. Mr. Bentley stated that other districts' policies clearly state that to access sick bank an individual need to have a serious or catastrophic illness.

Mr. Kitchen stated that once an employee applies for PFML they need to meet the requirements to qualify. Dr. Nehra stated that a physician still needs to sign off and certify the health condition.

There was further discussion what do other districts do, are taxes deducted from PFML, the other two unions and individual employment agreements don't have sick bank, sick bank procedures need to be defined, the purpose and intent of the sick bank, and the qualifying events to access sick bank.

Attorney Brilhante suggested that guidelines be defined for accessing the sick bank. Mr. Sweet stated that no changes can be made at this time and suggested that stipulations be changed during negotiations with the DTA. Mr. Kitchen stated that it would be helpful to have procedures in place and ready for negotiations.

There was further discussion and examples of different situations were given.

Mr. Root asked what would happen if someone provides a doctor's note and the request is denied and it goes to arbitration. Mr. Kitchen stated that the application to access the sick bank gives the discretion to approve or deny it. Fr. Jay stated that the language in the contract states that a decision by the board is final and beyond appeal. Attorney Brilhante stated that the intent of having a Board is to oversee the requests, review the doctor's notes and determine if the requirements are met and approve or deny the requests.

Attorney Brilhante stated that DTA is the only bargaining unit that offers sick bank to their members. Everyone else in the District only receive sick time and if additional time is needed they request unpaid time off. Attorney Brilhante strongly suggested to put guidelines in place prior to negotiations. Mr. Bentley asked what happens if a request is denied. Mr. Root stated that requests should be submitted and reviewed per the current guidelines until negotiations. Mr. Kitchen suggested looking at the FMLA and PFML language and incorporating some of it as a guide.

It was moved by Fr. Jay, seconded by Dr. Nehra and voted unanimously to approve the request by Ms. Karyn Robertson to access 50 sick bank days.

It was moved by Mr. Root, seconded by Dr. Nehra and voted unanimously to adjourn the meeting at 4:15 p.m.

Respectfully Submitted,  
*Helena S. Neves*  
Helena S. Neves, Executive Secretary