

Calhoun County School
Sick Leave Bank and Catastrophic Leave
Guidelines and Administrative Procedures

The Sick Leave Bank Committee

*The Sick Leave Bank for employees, hereinafter referred to as the **SLB**, shall have guidelines and administrative procedures developed by the Sick Leave Bank Committee and approved by the membership. The Sick Leave Bank Committee elected by the membership is hereinafter referred to as the **Committee**.*

1. The Committee shall consist of five members, one representing the Board of Education and four representing the participating SLB members.
2. At the end of each scholastic year, an election shall be held among the SLB members to determine by secret ballot the four representative members who are to serve on the Committee. The Superintendent shall be responsible to conduct the election in a fair and equitable manner, ensuring the confidentiality of the secret balloting process. The Superintendent shall also appoint the authority's representative on the Committee, subject to Board approval.
3. Members of the Committee will serve a one-year term. No membership representative shall serve more than 5 consecutive terms. Terms shall begin on August 1 and expire on July 31.
4. The Committee shall be responsible to write guidelines and administrative procedures for the uniform administration of the SLB, including catastrophic leave provisions, in accordance with applicable law. The SLB guidelines shall include all regulations required by Section 16-22-9 of the Code of Alabama 1975. Additional guidelines shall be adopted as deemed appropriate and beneficial; however, no guidelines shall be adopted which conflict with governing law. SLB guidelines shall be approved by a secret ballot of the participating members of the SLB.
5. The Committee shall also participate in development and approval of all necessary forms for the orderly operation and administration of the SLB and catastrophic leave provisions.
6. The accounting of the SLB shall be the responsibility of the Board.

7. The Committee will elect, by a majority vote, a chairperson from among its members at the beginning of each term.
8. The Committee shall schedule an annual meeting during September of each term. Additionally, meetings may be called by the Chairperson or by a majority of the committee members.
9. The Committee shall be authorized to review and make appropriate decisions regarding implementation of SLB policy and catastrophic leave provisions. Decision-making authority regarding routine administration and implementation may be delegated by the Committee to the Board's Central Office representative or other employee charged with SLB accounting.

Eligibility and Participation in the Sick Leave Bank

1. Participation in the SLB shall be at all times voluntary on the part of the employee. An employee may borrow up to 15 days from the bank. Of the 15 days borrowed, 5 of those are placed in the bank by the employee. No employee shall be allowed to owe more than 15 days to the SLB per Section 16-22-9 of the Code of Alabama 1975. Borrowed sick leave days must be repaid to the SLB monthly as earned by the member. Repayment to the SLB must be at the rate of one day per month beginning with the next sick leave day earned after the loan was granted and continuing until the days borrowed (not including the five required to retain membership in the SLB) are completely repaid, except as approved by the Committee.

2. Enrollment Period

2a. **Current employees:** The enrollment period shall be concurrent with fall enrollment of insurance during the month of September each year with membership beginning October 1. An employee must donate 5 earned sick leave days in the SLB to be eligible to participate. After the initial deposit by an employee, no further deposits shall be required except as may be necessary to replenish the SLB, and such deposits shall be equally required of all participating employees.

2b. **New employees without sick leave** will have up to 5 days credited to the SLB upon application to join. As days are earned, they will be deposited into the SLB until the number of days advanced have been deposited.

3. **New employees hired outside the enrollment period** must donate 5 earned sick leave days within 30 calendar days of employment in the SLB to be eligible to participate. If the new employee does not have 5 sick leave days, see 2b above. After the initial deposit by an employee, no further deposits shall be required except as may be necessary to replenish the SLB, and such deposits shall be equally required of all participating employees.
4. Application for entry and withdrawal from the SLB shall be made on the Sick Leave Bank Authorization form. Any member wishing to withdraw from the SLB may do so only during open enrollment or upon departure from the school system. A participating employee leaving the system may apply for any days he/she has on deposit in the bank.
 - 4a. Upon resignation or other termination of an employee who has an outstanding loan of sick leave days, the value of the loan shall be deducted from the final paycheck at the employee's prevailing rate of pay.
 - 4b. Upon retirement or transfer of the SLB member, days on deposit with the SLB shall be withdrawn and transferred with the employee or made accessible for retirement credit, as applicable.
5. Before borrowing from the SLB, an employee must first use all other leave, to include sick leave, personal leave days, and annual leave if applicable. To make a request to borrow days from the SLB, the member must complete and submit to the payroll department the **REQUEST TO BORROW DAYS FROM THE SICK LEAVE BANK FORM**. In cases where the member has been incapacitated, his or her next-of-kin or other designee may apply for a SLB loan on the member's behalf. Days may be borrowed from the SLB for the same reasons that regular sick leave may be used as provided by the State Department of Education policy. SLB days must be used in accordance with law and regulations governing the appropriate use of sick leave.
6. An employee will lose the right to utilize the SLB by:
 - a. Termination or suspension of employment in the Calhoun County School System.
 - b. Cancellation of participation by the member on the proper form.
 - c. Being on an approved leave of absence.
7. Any alleged abuse of the use of the SLB shall be investigated by the Committee. On a finding of wrongdoing by the employee, the employee shall repay all the sick leave credits drawn from the SLB, and the employee shall be subject to

other disciplinary actions as determined by the Board of Education.

Catastrophic Leave

1. Requests for Catastrophic Sick Leave can only be made by current members of the SLB. Section 1. (a) (1) of ACT No. 99-581 defines Catastrophic Illness as “Any illness or injury or pregnancy or medical condition related to childbirth, certified by a licensed physician which causes the employee to be absent from work for an extended period of time (20 consecutive working days or more).” Exceptions relative to the required twenty working days or more will be considered for extenuating circumstances. All requests for catastrophic sick leave must be accompanied by appropriate certification from a licensed physician. In cases where the intended beneficiary has been incapacitated, his or her next-of-kin or other designee may request catastrophic sick leave on the beneficiary's behalf.

2. Sick leave may be donated to a beneficiary employee to be used for the same reasons that the law provides for the use of regular sick leave:

Sick leave is defined as, the absence from regular duty by a teacher, bus driver, or support personnel because of the following:

- a. Personal illness
 - b. Bodily injury which incapacitates the employee
 - c. Attendance upon an ill member of the immediate family (husband, wife, father, mother, son, daughter, brother, sister) of the employee or person standing in loco parentis. (State law does not provide for attendance upon in-laws.)
 - d. Where unusually strong personal ties exist, due to an employee's having been supported or educated by a person of some relationship, that relationship may be recognized for leave purposes. In each case, the employee concerned shall file with the local board of education a written statement of the circumstances that justify an exception to the general rule.
3. The payroll department must have a signed **Catastrophic Sick Leave Request Form** from the beneficiary employee requesting and agreeing to use the donated days.
 4. The number of days a beneficiary employee may receive from donors is limited to the number of days remaining in the recipient's current contract. A single

donor can donate no more than 30 days to a single beneficiary employee. Each case shall be subject to periodic review on a case-by-case basis. *Donors must be members of the SLB.

5. A beneficiary employee may earn regular sick leave while using catastrophic leave donated by other employees; however, the beneficiary employee must use the day earned each month as it is earned.
6. These rules apply to anyone under contract to Calhoun County Schools on a full-time or part-time basis. A donated sick leave day equates to a recipient's day regardless of the hours worked.
7. Before using Catastrophic Sick Leave, an employee must first use all other leave, to include sick leave, personal leave, and annual leave if applicable, plus the maximum number of (15) days borrowed from the SLB.
8. Upon conclusion of catastrophic leave, the affected member will owe 15 days that must be repaid to the SLB monthly as re-earned by the employee. *Donated sick leave days may be used to replenish days owed to the SLB if the donor approves. There is a separate form that must be used to grant use of repayment to the SLB. See **Catastrophic Sick Leave BANK Donation** form. **It is the responsibility of the employee to ask donors for repayment to the SLB.**
9. Donated days will be used as follows:

All the forms entitled Catastrophic Sick Leave Donation Form for a given beneficiary employee that are sent to the payroll department will be filed and used by the date received and in alphabetical order to satisfy the requirement for days in the respective payroll period to enable the beneficiary employee to receive a full month's paycheck. This procedure will be followed each payroll period until the beneficiary employee returns to work. Any employee who donates sick leave days to the SLB for a particular employee suffering from a catastrophic illness shall clearly understand that the donated days are not to be recovered or returned to the donor. After the beneficiary employee has returned to work for 30 calendar days, any unused Catastrophic Sick Leave Donation Forms will be returned to the donor employee(s). *Donated sick leave days may be used to replenish days owed to the SLB if the donor approves. There is a separate form that must be used to grant use of repayment to the SLB. See **Catastrophic Sick Leave BANK Donation** form. **It is the responsibility of the employee to ask donors for repayment to the SLB.**
11. Any sick leave bank may donate sick leave days to any other sick leave bank

established under this statute for use by a particular employee for catastrophic leave purposes. An employee must be a member of the SLB to donate or receive catastrophic sick leave days.

GUIDELINES FOR CATASTROPHIC LEAVE

The following is a summary of the steps involved in applying for Catastrophic Leave:

1. Submit a Catastrophic Sick Leave Request form to Payroll. Forms are found on the staff web page.
2. Provide a statement from a licensed physician, stating a detailed description of the illness and/or injury. This must include dates the employee is expected to be off work.

3. The Request form and the Physician's statement are then turned into Payroll.
4. Upon approval by the Sick Leave Committee, Payroll department is responsible for sending a memo to all facilities notifying them of the need for sick leave days to be donated.
5. An employee must be a member of the sick leave bank to receive catastrophic leave or to donate sick leave days.
6. An employee must use all available leave, including sick days, personal days, annual days (if applicable), and bank days, before catastrophic days may be used.

CATASTROPHIC SICK LEAVE REPAYMENT DONATION FORM

This form is used to assist Beneficiary Employee with repayment of the sick leave bank.

DONATING EMPLOYEE INFORMATION:

Name: _____ SS#: _____

School/Facility: _____

Number of days you want to donate (not to exceed 30 days): _____

YES NO I am a member of the Sick Leave Bank.

I understand that the above donated days will be used to pay back the sick leave bank for the individual named below and will not be recovered or returned to me. Any donated days beyond the 15 needed by this employee will revert back to me by the payroll department. I understand that if there are other donors, unused days will revert to donors in a proportionate manner.

Beneficiary Employee Information:

Name: _____

SS#: _____

School: _____

Yes No Beneficiary employee is a member of the Sick Leave Bank.

Signed: _____ Date: _____

Donating Employee

Central Office Use Only: Approved

Signed: _____ Date: _____