

EMPLOYEE SICK LEAVE BANK

The purpose of the Sick Leave Bank shall be to provide a bank of sick leave days from which a member may draw in case of extended absences due to illness/disability which renders the member incapable of working. Sick Leave Bank days may be used for personal illness/disability of the employee or illness/disability of an immediate family member **of the employee. For purposes of this policy, the term “immediate family member”** is defined as the husband, wife, or children of the employee. Members receiving workers’ compensation shall not be eligible to **simultaneously** receive sick leave days from the Bank. **Employees shall receive 65% of their daily rate of pay while using sick leave bank days.**

MEMBERSHIP ADMINISTRATION OF SICK LEAVE BANK

Three (3) separate accounts shall be established within the Sick Leave Bank: one for teachers, one for bus operators, and one for school employees. Donations to the Sick Leave Bank shall be credited to the appropriate account depending on the classification of the eligible member making the contribution.

Days contributed ~~or assessed~~ become part of the **Sick Leave** Bank and no longer count toward the individual member’s current or accumulated sick leave.

Application for use of days must be made by the member to the **Superintendent and/or his/her designee. His/Her decisions shall be final, and such decisions shall not be subject to review by the School Board or subject to the Board’s grievance procedures.**

Application for use of days must be made by the member **in writing and include a statement from a licensed clinician certifying a medical necessity for the employee to be absent from work. Such application shall be submitted to the Sick Leave Bank Board, Superintendent and/or his/her designee any time at least prior to but within twenty (20) calendar days prior to the anticipated beginning date of leave. In cases of unexpected medical emergency, after the member returns to work. Applications submitted at a time outside these limits shall not be considered by the Bank Board. Superintendent.** Application may be made by someone other than the employee. ~~the Sick Leave Bank Board~~ **Superintendent and/or his/her designee may consider an application requesting use of sick leave bank days with less than twenty (20) days**

~~notice. extenuating circumstances to extend this deadline. Upon review of the applications~~ If questions about the validity or accuracy of the medical certification arise during review, the Superintendent may require additional medical certification as outlined under *Extended Sick Leave* in policy GBRIB, Sick Leave.

Medical necessity shall be the result of a catastrophic illness or injury, which means a life-threatening chronic, or incapacitating condition of the employee or immediate family member. Catastrophic illness or injury shall mean a severe condition or combination of conditions that (a) affect the physical or mental health of the employee or immediate family member; (b) result in a life-threatening or life function-altering condition that prevents the employee from being actively employed; and (c) require an absence from work for a minimum of ten (10) consecutive workdays.

Each member shall contribute one (1) day of sick leave upon joining the Sick Leave Bank. ~~The minimum number of days in the Bank will be 300. At the beginning of each year each member will be assessed one (1) additional day of current or accumulated sick leave. The Sick Leave Bank Board shall have the authority to assess an additional day(s) during a school year, should it in their judgment be deemed necessary. Inability to contribute shall not keep an individual from being a member for the remainder of that school year.~~

OPERATION/PROCEDURE- DONOR ELIGIBILITY

1. ~~Employees who wish to donate a sick leave day shall have been actively employed as full-time by the School Board for a period of thirty-six (36) consecutive months as of the date of the intended donation. All employees who are eligible for full St. Mary Parish School Board benefits shall be eligible to join the Sick Leave Bank.~~
2. Each eligible employee shall have the option to join the Sick Leave Bank within the first twenty (20) contracted calendar days of the commencement of that employee's work year. Failure to re-enroll each year would cancel membership.
3. ~~An employees who wishes to join the Sick Leave Bank shall sign the enrollment form which states that the employee is voluntarily allowing the assessment deduction of a sick leave day from his/her days of accumulated sick leave and is authorizing the assignment of the day s which the employee has~~

earned to the Sick Leave Bank. **Such** day will be permanently deducted from the ~~number~~ **balance** of sick leave days the employee possesses.

RECIPIENT ELIGIBILITY

1. Days may be granted from the **Sick** Bank only after the member requesting ~~Sick Leave Bank~~ days has used all his/her accumulated, ~~and~~ current, and **extended** sick leave. ~~Employees must have exhausted all extended sick leave to which entitled in order to be granted days.~~ The first two (2) days of leave after the member has exhausted his/her own sick leave will not be covered by the Bank. ~~At the member's request, the two (2) deduct days at per diem may be spread over two (2) pay periods.~~
2. No more than ~~sixty (60)~~ **forty-five (45)** days may be granted to any member in any single contract year. An employee may request no more than twenty (20) days at any one application.
3. ~~Coincident with approval of days~~ **Upon approval** by the ~~Sick Leave Bank Board~~ **Superintendent**, the approved number of days shall be deducted from the Bank. All days granted from the Bank but not used by the employee shall be restored to the Bank.
4. **A separate application shall be submitted for each occasion that an employee may request receipt of sick leave days from the Sick Leave Bank. Each application shall include necessary documentation attesting to medical necessity. The clinician's certification must address circumstances relative to each separate request. The separate application requirement may be waived by the Superintendent as circumstances may warrant.**

MISCELLANEOUS PROVISIONS

1. **The Superintendent shall be authorized to make determinations and clarifications of these provisions. All determinations and clarifications made by the Superintendent shall be final.**
2. **All transactions shall become part of the permanent personnel files of the employees.**
3. **The number of days withdrawn from the Sick Leave Bank shall not exceed the number of days available within the appropriate account of the Bank.**

4. In no case shall the granting of leave from the Sick Leave Bank cause an employee to receive more than his or her annual base pay.

5. The term *day* is defined as a full contractual workday. ~~Days may be approved for extended illness and/or disability of a member only. Days shall not be granted for a member to care for someone else who is ill or disabled.~~

1. ~~Operation and administration of the Sick Leave Bank shall be by the Sick Leave Bank Board. The Bank Board shall consist of seven (7) voting members elected by members of the Sick Leave Bank. A minimum of five (5) voting members must be present in order to conduct business. The members shall be a teacher, clerical, paraprofessional, custodian/maintenance, bus operator, administrative, and cafeteria representative. Members shall be elected by each group enumerated and must be a member of the Bank to participate in the election. Members shall serve three (3) year terms with the exception of the first Board whose terms will be staggered for 1, 2, and 3 year terms.~~

3. ~~The Sick Leave Bank Board shall consider only those requests which include all of the following:~~

~~A.~~

~~A. A licensed physician's verification that the illness/disability renders the employee incapable of working.~~

~~B. Past history of sick leave use.~~

~~C. Actual or expected date of return to work.~~

~~D. A completed *Sick Leave Bank Form*.~~

4. ~~The Sick Leave Bank Board shall have the authority to request additional information.~~

5. ~~A member who uses days from the Bank shall not be required to repay such days except as a regular contributing member of the Bank.~~

6. ~~The Sick Leave Bank Board shall publicize twice each year to the staff a summary of all action taken on requests and other information deemed appropriate.~~

7. ~~Any release time necessary for the Sick Leave Bank Board to complete their responsibilities will be during school hours and approved by the Director of Personnel.~~

8. ~~Days from the Sick Leave Bank shall be granted for contract work days only.~~

- ~~9. All records generated in the administration of the Sick Leave Bank, as well as the confidentiality of applicable records, shall be properly maintained by the Superintendent and staff in accordance with statutory provisions.~~
- ~~10. The Sick Leave Bank shall establish its own operating procedures within the above listed guidelines.~~
- ~~11. The above listed procedures will be reviewed at least once each year.~~

Revised: January, 2006

Revised: September 13, 2012

Ref: La. Rev. Stat. Ann. §§[17:81](#), [17:500.2](#), [17:1202](#), [17:1205](#), [17:1206.2](#)
La. Civil Code, [Art. 1541](#), [Art. 1542](#), [Art. 1833](#)
Attorney General Op. No. 94-509, No. 94-530
Board minutes, [6-9-05](#), [12-8-05](#), [9-13-12](#)

St. Mary Parish School Board