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PHEA Sick Bank Leave
Guidelines

The Sick Leave Bank Committee is directed by the Pleasant Hill Education Association to apply guidelines established in the Pleasant Hill Collective Bargaining Agreement on matters related to the Bank. The Sick Leave Bank Committee consists of the PHEA Executive Committee, comprised of the President, Vice President, Treasurer and Secretary.

The Sick Leave Bank is a voluntary program. Contributions are irrevocable and shall remain in the Bank until accessed by contributing members through the process detailed below.

A. Purpose

The purpose of the Bank is to grant hours to eligible members in cases of absences necessitated by the member's long-term illness, chronic condition, or injury.

Hours granted provide a bridge to either long-term disability or to a return to work. They may not be used as a bridge to an unpaid personal or professional leave of absence, retirement, resignation or termination of employment.

B. Membership

1. Sick Leave Bank participation is voluntary for members of the bargaining unit. Only members participating in the Sick Leave Bank may benefit from the program.
2. In order to participate in the program, members must opt in using the Sick Leave Bank Transfer Authorization form during the open enrollment period. The open enrollment period will begin the first day teachers report at the start of the school year and end on October 15, or the next business day, if October 15 is on a weekend.
3. Bargaining members who decline to participate in the Sick Leave Bank forfeit their right to be part of the Sick Leave Bank.
4. In the event that contributed days become depleted during the operation of the Sick Leave Bank, the Sick Leave Bank Committee, at its discretion, may open the enrollment and/or request further contributions from its members, or suspend operation of the Sick Leave Bank until the next school year.
5. In a year where the Sick Leave Bank exceeds 600 days, the Bank will close to donations from existing members and all members who donated in the year the Bank was frozen will remain members until such time as the bank drops below 600 days and is again open for donations from all members. Current employees who were not members when the Bank was frozen may join by donating one or two days during the open enrollment period and will remain members until the bank is reopened. New licensed employees hired after the Bank was frozen may join the bank by donating one or two days during open enrollment or within 10 business days of their hiring and will also remain members until the Bank is open again for donations.
6. Contributions are irrevocable and shall remain in the Bank until accessed by contributing members through the process detailed below.

C. Qualifications and Process for Use of Sick Leave Bank

Sick Leave Bank hours shall be granted only in cases of a member's absences necessitated by long-term illness, chronic condition, or injury.

1. Before Sick Bank Leave members can be eligible to use Sick Leave Bank hours, the members must have:
    a. used all individual accumulated paid sick leave hours, including anticipated but not yet earned sick leave hours;
    b. used all individual paid personal hours for that year;
    c. and used all accumulated paid personal hours.
2. Process for Requesting Use of Sick Leave Bank Hours
    a. The member must submit a Sick Leave Bank Request to the Sick Leave Bank Committee. This form can be acquired from the member's building representatives, the PHEA Secretary, or any member of the Executive Committee.
    b. The member must submit a personal statement to the Sick Leave Bank Committee describing the circumstances for which additional sick leave hours are needed.
    c. The member must submit a qualified health care provider's statement indicating an inability to perform assigned responsibilities due to the member's long-term illness, chronic condition, or injury, as well as the anticipated date of return.
    d. To honor our members' privacy, the statements above need only to state the necessity of extended leave and should not breach medical confidentiality agreements.
    e. Sick Leave Bank hours can only be requested for the current school year and not retroactively beyond the start of the school year. Requests for retroactive Sick Leave Bank hours will only be granted in extraordinary circumstances.
3. Appeals and Extensions
    a. If a member feels that they are experiencing extenuating circumstances that require consideration by the Sick Bank Leave Committee, they can request a review with the Appeals and Extensions form.

D. Review of Cases

1. Final Decision
    a. All requests shall be reviewed and the final decision made by the Sick Leave Bank Committee. All decisions by the Sick Leave Bank Committee are non-precedent setting.
2. Confidentiality
    a. The Sick Leave Bank Committee shall take all necessary steps to ensure confidentiality.
3. Certification by Qualified Health Care Provider
    a. The Sick Leave Bank Committee shall require a qualified health care provider's certification to verify need for Sick Bank hours.
    b. The Sick Leave Bank Committee may require the applicant to secure a second certification from a qualified medical provider of the Committee's choice. Any expense of securing the second certification shall be borne by the member.

c. The Sick Leave Bank Committee shall apply these guidelines equitably and uniformly for all applicants.

E. Limitation and Distribution of Hours

1. Initial requests will be addressed by the Sick Leave Bank Committee after receiving and reviewing the Sick Leave Bank Request Form and accompanying personal and qualified health care provider statements. The Sick Leave Bank Committee will, at its discretion, determine the granting of hours.
2. Initial days, prorated according to the member's current FTE, will not be granted until the member's own accumulated paid sick leave, including anticipated but not yet earned sick leave, and paid personal leave are exhausted.
3. The maximum number of sick leave days a unit member can initially apply for is 30 days within the contract year.
4. Extending of granted hours may be requested, if needed, by submitting an Appeal and Extension Form to the Sick Leave Bank Committee . Additional hours granted are subject to Committee review and will require an additional statement by a medical provider.
5. It is not the intent of the Sick Leave Bank to provide retroactive awards except in extraordinary circumstances.
6. Any unused sick leave hours will be returned to the Sick Leave Bank.
7. If an overlap of Sick Leave Bank hours used and other benefits payments received occurs, (e.g. Workers' Compensation, Long Term Disability, Oregon Paid Family Leave, PERS Disability), members shall reimburse the Sick Leave Bank an amount equal to the cost of salary paid out for that time period (e.g. back payment for LTD benefits) that exceeds one hundred percent (100%) of the compensation they would have received had they been actively working. A unit member is not eligible for Sick Leave Bank hours while the member is receiving compensation under Workers' Compensation, Long Term Disability, Oregon Paid Family Leave, or PERS Disability.
8. The maximum number of sick leave hours in the Sick Leave Bank shall be 4,800 hours (600 days) and can only be increased by mutual agreement of the District and the Association.
9. Suspension of the review procedures above is subject to the discretion of the Sick Bank Leave Committee.

F. Forms and Guidelines

1. Forms include: Sick Bank Transfer Authorization, Frozen Sick Bank Transfer Authorization, Sick Leave Bank Initial Request, and Appeal and Extension.
2. These forms can be acquired from the member's building representatives, the PHEA Secretary, or any member of the Executive Committee. They must be submitted to the same Association members.

G. Reporting and Reviewing Procedures

1. The Sick Bank Leave Committee shall provide Association members with an annual report of Sick Leave Bank activity.
2. The Sick Bank Leave Committee will be responsible for informing the members and the Pleasant Hill School District Office of the Committee's decisions.

3. The Sick Bank Leave Committee will provide the District with a list of Sick Leave Bank contributors and users and a copy of established rules. The District will honor withdrawals from the Sick Leave Bank upon proper certification by the Association.