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ARTICLE 13 SICK LEAVE BANK/SHARED VACATION LEAVE

A. Sick Leave Bank

The purpose of the sick leave bank shall be to extend additional sick leave hours for an employee should an illness or injury as described in this Article 13, Section A.3 below exhaust the employee's accumulated sick leave, vacation accruals leave, and personal leave, and compensatory time.

1. New employees may elect to participate in the sick leave bank within 30 (thirty) 90 calendar days of the initial hire date. If they choose not to participate in the sick leave bank, they must wait until the next open enrollment for another opportunity to join. Employees must have sufficient accrued sick leave to contribute one workday at the time of enrollment. If an employee does not have enough accrued sick leave to make this contribution after the 90 calendar days, they may re-submit their enrollment once they have sufficient hours, with an effective date of the upcoming November 1. The District shall notify employees whether their enrollment in the sick leave bank has been approved or denied.

2. Probationary employees may enroll in the Sick Leave Bank but are not eligible to access the benefit until after their probationary period ends.

3. Current employees who have not participated previously, and who have at least one workday of accrued sick leave to contribute to the bank, shall be permitted to may enroll not later than October 31st of any year with an effective eligibility date effective of November 1st of that year.

4. On or before October 31st each employee may contribute one (1) individual work day of their accumulated sick leave to a common bank. Further yearly contributions shall be limited to the number of days necessary to bring bank level to one (1) day per member of the bank. Such contributions are irrevocable. Only employees who have contributed days to the bank may apply for days from the bank. Participation in the bank shall be voluntary. Employees must contribute one workday of accrued sick leave when enrolling. Enrollment continues automatically each year unless terminated per Section A.9. Additional yearly contributions, made on or before October 31, are limited to the hours necessary to bring the total bank to a maximum of one hour per employee. All contributions are irrevocable. Only employees who have contributed may request leave from the bank. Participation is voluntary.

5. Upon depleting accumulated sick leave, vacation leave, personal leave, and compensatory time, and after obtaining a healthcare provider's statement certifying a life-threatening or debilitating physical or mental illness or injury preventing the member from performing the duties of their job for more than 10 (ten) workdays, a member may request days from the bank. A committee composed of three (3) members representing the administration and three (3) members appointed by the Association will act immediately on the request. The committee may grant the request if:

a. District records show that the member the employee has or will have exhausted their accumulated sick leave, vacation leave, personal leave, and compensatory time;

b. the member The employee is not eligible for a PERS disability benefit, or a benefit under the District's disability insurance;

c. the member The employee is a contributing member to the sick leave bank;

d. the member has experienced a life-threatening or debilitating physical or mental illness or injury that has prevented them from performing their job requirements for more than 10 (ten) workdays and a healthcare provider has certified in writing this illness or injury; and The employee has experienced a life-threatening or debilitating illness or injury preventing them from performing job duties for more than 10 workdays, as certified in writing by a healthcare provider; and

e. there There are sufficient days hours in the sick leave bank to cover the request.

6. If the request is denied, the member employee shall be informed in writing as to the reason for the denial. The actions of the Committee shall not be subject to any further appeal through grievance procedure or otherwise.

7. If the request is approved, the Committee shall notify the Human Resources office, and subsequent days of absence due to the illness or injury, including the first 10 (ten) days of the illness or injury, if the employee's accumulated sick leave was not available for those days, will be charged to the bank until further notice. However, in no case will more than a total of 50 (fifty) days of sick leave from the sick leave bank be approved per individual member in any one (1) school year. Subsequent days of absence due to the illness or injury, including the first 10 days if the employee had no accumulated sick leave for those days, shall be charged to the sick leave bank until further notice. In no case shall more than 50 days be granted to an individual employee in any one school year.

8. The District shall keep accurate records of leave accumulated by the bank. The sick leave bank replenishment on November 1 each year shall add hours as needed to bring the bank up to and of sick leave used by the bank, which shall not be greater than one (1) hour multiplied by the number of unit members ESPs per school year. These records shall be available at all times for review by the Committee members and by the Association. Annually the District shall notify the Association in writing of the accumulated days and days charged to the bank that year.

9. Membership shall be terminated ~~by~~ upon written request of the member or by the end of employment with the District. Previously donated days contributed hours shall remain in the sick leave bank.

B. Shared Vacation Leave

1. The Shared Vacation Leave Program is intended to allow an employee to voluntarily donate accrued vacation leave to support a colleague who is in critical need of leave due to their own serious health condition or that of an immediate family member. Probationary employees are not eligible for Shared Vacation Leave. The parties agree that ASK ESP the Association shall administer the Shared Vacation Leave Program.

2. For the purposes of this Article, immediate family shall be defined as spouse/domestic partner, siblings, children (including stepchildren), parents (including in-laws and stepparents), grandparents, and grandchildren.

C. General Provisions of the Shared Vacation Leave Program

1. Employees may donate accrued vacation leave to a specific employee who is otherwise eligible to accrue and use sick leave, but leave but has exhausted all accrued leave (including sick leave, vacation leave, and compensatory time).

2. To be eligible to receive Shared Vacation Leave, employees must meet all eligibility requirements as described in Article 13, Sick Leave Bank, except that participants (donors and recipients) are not required to be members of the Sick Leave Bank to participate.

3. Employees who are not members of the Sick Leave Bank may apply directly to receive Shared Vacation Leave.
4. Employees will be limited to the equivalent of 50 (fifty) workdays (based on the donee's scheduled workday) per year (400 (four hundred) hours for a full-time employee) in any combination of Sick Leave Bank and Shared Vacation Leave.
5. Employees using shared vacation leave shall be considered in active pay status and shall accrue leave, and leave and be entitled to any benefits to which they would otherwise be entitled.
6. Donations must be made in full-hour increments with no minimum hours required per donation occurrence.
7. All donated Shared Vacation Leave must be given voluntarily. No employee shall be coerced, threatened, intimidated, or financially induced into donating accrued vacation leave.

D. Procedures for the Shared Vacation Leave Program

1. Employees apply to receive donated vacation leave by submitting a Shared Vacation Leave Application form and Physician's Healthcare Provider's Certification form to ASK ESP the Association.
2. ASK ESP The Association will determine if all eligibility criteria are met.
3. ASK ESP The Association will solicit donations from their membership for 10 (ten) working days after receipt of initial notification by the requesting member.
4. Employees who choose to donate their accrued vacation leave will submit a Shared Vacation Leave Donation form to ASK ESP the Association.
5. When the requested number of hours have been submitted, or after 10 (ten) working days (whichever comes first), ASK ESP the Association will submit the application and donation forms to the District's Benefits and Leaves Manager Payroll.
6. The Benefits and Leaves Manager will work with Payroll to will deduct vacation leave from donors and convert it to sick leave for the recipient.

E. Confidentiality

1. When submitting a Shared Vacation Leave Application form, the requesting employee will be asked what information they are willing to share to ASK ESP the

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Association membership regarding the nature of their illness. Only that information will be released; released; all other information will be kept confidential.

2. A donor's information, including the number of hours they donated, will be kept confidential.