Appendix A

Ulster BOCES
Administrator's
Catastrophic Illness Leave Bank Policy

I. MEMBERSHIP STATEMENT

This policy covers the following administrators:

- Ulster BOCES Administrators' Association Unit Members
- Assistant Superintendents
- School Business Official
- Directors
- Assistant Directors

II. PURPOSE

The Catastrophic Illness Leave Bank has been created through the contribution of sick leave from administrators for fellow administrators who are experiencing extensive loss of time due to a catastrophic event. Catastrophic is defined as a severe illness, a severe physical condition, or severe accident producing a life threatening or severely incapacitating condition for which extensive medical treatment or prolonged absence from work is necessary. Also included are administrators who are injured in the performance of their duties as a direct result of a physical assault by a student and who have filed an application for Workers' Compensation benefits where BOCES does not dispute the circumstance of the injury. Only catastrophic medical problems will be considered for leave withdrawals from the bank. A catastrophic event may also involve a condition which is diagnosed by a physician as creating a substantial risk of death or permanent disability. Illness or medical problems of a short-term nature shall not be considered. If a procedure can be performed (i.e. knee replacement) during non-instructional time, withdrawal from the Bank will not be considered. It is expected that the beneficiaries of the Catastrophic Illness Leave Bank will return to work and are ***not*** permanently disabled to the extent that their disability cannot be accommodated. The Catastrophic Illness Leave Bank is funded solely by and for administrators in the above listed classifications who choose to participate and meet the eligibility requirements to participate. Participation shall be limited to contributing administrators.

III. ELIGIBILITY

A. Current Employees

- Effective July 1, 2022, current administrators who have completed one (1) year of continuous employment shall either have already contributed two (2) days of unused sick leave to the existing Catastrophic Illness Leave Bank and shall be required to contribute two (2) additional days or will be eligible to join, during a special "Open Enrollment" period by contributing two (2) days of unused sick leave to the Catastrophic Illness Leave Bank. Thereafter, administrators must contribute two (2) sick days from their annual accrual each year in order to participate in the Catastrophic Illness Leave Bank.
- The special enrollment period will be held to give all interested current administrators an opportunity to join the Catastrophic Illness Leave Bank without having to meet the one (1) year service requirement that will be enforced once this policy is activated.

B. New Employees

- Effective July 1, 2022, all new administrators may join the Catastrophic Illness Leave Bank after the completion of one (1) year of service at Ulster BOCES by donating one (1) day of their accumulated sick leave days during the annual open enrollment periods which shall be September 1 through September 30 and March 1 through March 31 annually. Thereafter, unit members must contribute two (2) sick days from their annual accrual each year in order to participate in the sick bank.
- The Catastrophic Illness Leave Bank year shall be July 1 through June 30.
- Once an *Enrollment Contribution* form has been signed, the Personnel Department will deduct two (2) accumulated, earned sick leave days from the administrator's sick day accrual during the appropriate open enrollment period, and then two (2) additional sick leave day each year to continue participation in the Catastrophic Illness Leave Bank. (September 30)
- It is the administrator's responsibility to notify the Personnel Department in writing, if they decide not to participate in the Catastrophic Illness Leave Bank after they have initially enrolled. This notification must be received prior to start of the Catastrophic Illness Leave Bank year. (July 1)
- Once membership has been established Catastrophic Illness Leave Bank members shall waive the right to reclaim days contributed.
- If there are an excessive number of days remaining in the Catastrophic Illness Leave Bank at the end of a year, as determined by the committee, the committee may declare a donation holiday.

Applications for new membership must be submitted during the open enrollment periods of September 1 through September 30 and March 1 through March 30 annually.

IV. ADMINISTRATION

- The Catastrophic Illness Leave Bank shall be administered by a Catastrophic Illness Leave Bank Committee consisting of two (2) members of the Administrators' Association and one (1) administrator from the Assistant Superintendents, School Business Official, Directors, and Assistant Directors Terms & Conditions of Employment group.
- The two (2) Administrators' Association unit members will be appointed by the Association.
- Each appointed committee member will serve a one (1) year term.
- The Assistant Superintendent for Administration will act as the Executive Director for the Catastrophic Illness Leave Bank Committee. This administrator will compile all necessary paperwork, organize all meetings but will not have voting rights.
- The Catastrophic Illness Leave Bank Committee will act on requests made to the Catastrophic Illness Leave Bank in a timely manner. In the event that a majority decision cannot be reached, a fifth neutral person, agreed on by the committee members will be called in to review the case and cast the deciding vote. Upon formation, the committee shall appoint an individual who shall act as a fifth and deciding vote.
- The Catastrophic Illness Leave Bank Committee is authorized to develop rules and regulations regarding its procedures provided they are in accordance with this policy and are approved by the District Superintendent or designee.

V. REQUIREMENTS FOR APPLICATION OF BENEFITS

- The applicant must prove need to the Catastrophic Illness Leave Bank Committee for extensive loss of time as a result of catastrophic event. Maternity leave and any other Family Medical Leave situation will not qualify for benefits under this policy.
- An application for Catastrophic Illness Leave Bank benefits that is related to a Workers' Compensation claim, that is not an injury sustained in the performance of their duties as a direct result of a physical assault by a student, will be considered in the same manner as all other eligible cases, with the exception that any reimbursements for lost wages received by Ulster BOCES from Workers' Compensation will first be used to restore the Catastrophic Illness Leave Bank and the remainder, if any, will be credited to the unit member.
- A completed application form supported by a physician's statement must be submitted to the Catastrophic Illness Leave Bank Committee. The Committee, at its discretion, can require additional information from the applicant's physician and/or request an independent medical examination conducted by or under the direction of the school physician. The decision of the Catastrophic Illness Leave Bank Committee shall be final.
- To be eligible to receive Catastrophic Illness Leave Bank days the member's accumulated sick leave days must be exhausted and a two (2) week deductible period must have been met. *[The two (2) week deductible period is defined as ten (10) continuous workdays of absence due to illness, accident or recuperation, whether sick leave is paid or unpaid.]*
- The two (2) week deductible time period shall be applied to each illness that is submitted to the Catastrophic Illness Leave Bank Committee for consideration.

VI. BENEFITS

The Catastrophic Illness Leave Bank Committee may grant up to the maximum number of Catastrophic Illness Leave Bank days (180 days in total during their employment) to unit members whose applications are approved and who meet the following criteria:

An eligible member may withdraw no more than (180) days from the bank during his/her employment, subject to the availability of days in the bank.

No one eligible for the bank may use such bank more than once for the same illness or injury. To determine if it is the same illness or injury, on the second application to the bank, the committee may ask that a determination be made by an outside physician, who would be entitled to get the records of the first illness or injury in order to make his or her decision. The Board will pay for the outside physician's charge.

If, in the opinion of the Catastrophic Illness Leave Bank Committee, there has been abuse of the Bank by any administrator, such administrator may be denied the privilege of being a member of the Catastrophic Illness Leave Bank. This decision of the committee is non-grievable

- 1 - 3 continuous* years of employment – maximum 10 days per year
- 4 - 5 continuous* years of employment – maximum 20 days per illness/accident/recuperation
- 6 -10 continuous* years of employment – maximum 30 days per illness/accident/recuperation
- 11-15 continuous* years of employment – maximum 50 days per illness/accident/recuperation
- 16 + continuous* years of employment – maximum 75 days per illness/accident/recuperation

* *Continuous employment shall be calculated from the employee's date of hire through the date the Catastrophic Illness Leave Bank Application form is received in the office of Executive Director of the Catastrophic Illness Leave Bank. Unpaid Leave of Absence up to one (1) year will be counted as continuous employment.*

* *There is no entitlement by an administrator to the above schedule of benefits that exceed the actual days in the Catastrophic Illness Leave Bank.*

The Committee, in its sole discretion, may modify these limits based on the circumstances that create the need. The decision of the Committee is final and not subject to appeal.

VII. CARRYOVER OF DAYS

All days that remain in the Catastrophic Illness Leave Bank on September 30 shall be carried over into the following Catastrophic Illness Leave Bank year.

VIII. RENEWAL OF DEPLETED CATASTROPHIC ILLNESS LEAVE BANK

- When the Catastrophic Illness Leave Bank is depleted to thirty (30) days, prior membership by all participants becomes null and void. The Personnel Department will send a notice to each eligible unit member requesting the contribution of one (1) unused sick day by all administrators who wish to remain members of the Catastrophic Illness Leave Bank. If the Catastrophic Illness Leave Bank has been exhausted, no one will be eligible for benefits until it has been replenished by the participating membership.

- Catastrophic Illness Leave Bank members who are receiving benefits at the time the Bank is depleted shall remain eligible for their approved benefits until the Catastrophic Illness Leave Bank days are exhausted. In order to continue membership in the Catastrophic Illness Leave Bank these administrators must donate one (1) sick day upon receipt of the unit members annual sick day allotment. A form authorizing this donation will be signed at the time the Catastrophic Illness Leave Bank is being replenished by the Catastrophic Illness Leave Bank membership.

IX. DONATION OF SICK DAYS

Administrators who are separating from their employment at Ulster BOCES or have reached the maximum sick leave accrual of 246 days, may donate their unused or excess sick leave days to the Catastrophic Illness Leave Bank. A form must be completed authorizing this option.