

ADMINISTRATIVE GUIDELINES

Special Services, Johnson County and Surrounding Schools

SERIES 500: PERSONNEL

Section 502: Certified Personnel

502.4 Sick Leave Bank Procedures for Certified Personnel

Date of Draft Version: 1.30.95
Consensus Approval by Board: 4.26.95
Revised to match contract language: 10.17.95
Revised to match contract language: 7.28.05
Date Reviewed by Discussion Team: 3.18.14
Date Finalized for Website: 6.5.14

I. Purpose:

- A. To provide sick leave loans to contributors to the Sick Leave Bank hereafter referred to as the Bank) after their accumulated leave has been exhausted --specifically to provide such leave from the Bank in cases of prolonged absence from work due to serious illness or accident. The Bank rules and guidelines are as follows:

II. Effective Date:

- A. This Sick Leave Bank is being established, beginning with the 1993-94 school year. Contributions to the bank for the 1993-94 school year will be accepted until October 1, 1993.
- B. These rules and regulations will remain in effect as long as the Sick Leave Bank language remains in the Master Contract.

III. Voluntary Sick Leave Bank Committee:

- A. The Bank will be operated on a voluntary basis. A committee shall be formed to administer the Bank and to provide the information necessary to the Corporation Bookkeeping Department. This committee shall be empowered to develop forms, procedures and rules, and to make decisions required to administer the Bank; so long as those rules, regulations and decisions do not modify the Agreement contained herein. This committee shall be titled the "Special Services Voluntary Sick Leave Bank Committee" (hereafter referred to as the SLBC).

The SLBC shall be composed of the following five persons.

1. The Director of Special Services, Johnson County Schools or his/her designee.
 2. The President of the Johnson County Special Services Education Association or his/her designee.
 3. Three members of the bargaining unit. These members are to be elected by the members of the bargaining unit on the opening day of the school term.
- B. Should a vacancy occur on the SLBC, a replacement for the vacant position shall be appointed by the President of the JCSSEA.
 - C. One of the four bargaining unit SLBC representatives will be selected to act as chairperson of the SLBC. The President of the JCSSEA shall designate the chairperson prior to the first meeting of the SLBC.
 - D. All decisions of the SLBC shall be made by a majority vote of the entire committee.
 - E. All materials submitted to the SLBC will be kept confidential.
 - F. The Director, Association and the SLBC will be held harmless for decisions made pertaining to the granting of days from the sick leave bank.

IV. Contributions:

- A. Any person wishing to participate in the Bank shall be required to annually contribute one (1) day of his/her ~~accumulated sick leave~~ **annual leave days** to the bank. Each new teacher wishing to participate shall notify the Bookkeeper of his/her intent to participate by completing Form SLB-1 by October 1st of the current school year.
- B. The accumulated total should be reviewed yearly by the SLBC by the end of October in order to allow for new members to contribute. If the total accumulated days has dropped below 100, members who contributed the previous year will automatically have one (1) sick day deducted from their accumulated total, unless the participator has made a request in writing that their membership be cancelled.
- C. Regular contributors shall not contribute in a given year if the accumulation maintains at 100 days but said teachers shall be eligible for full benefits.
- D. Unused sick leave days at the end of the school year shall remain in the bank to total accumulation of 200 days.
- E. Additional contributions from new teachers or previously non-contributing teachers shall be accepted beyond the 200 days.
- F. If a request for days is made, and the Bank is depleted, additional contributions will be solicited from contributing members, as well as members of the bargaining unit who have not previously contributed.

- G. All days once donated to the Bank become the property of the Bank and are no longer identified as belonging to the individual contributor.
- H. Any certified personnel may at anytime contribute additional unused accumulated sick leave days to the Bank.

V. Request criteria:

- A. Any person requesting days from the Bank must have made his proper contribution to the Bank and met all eligibility requirements.
- B. The Bank shall be used only by the individual contributor for his/her personal illness.
- C. Days from the Bank shall be used only for those days that the individual contributor is employed under a regular Teaching Contract.
- D. Days from the Bank may not be used for the period of disability when monies are paid to the employee under the Workman's Compensation Law.
- E. Certified personnel on leave of absence (excluding Maternity Leave) shall not be eligible to draw days during the leave.

VI. Eligibility requirements for requesting days from the bank:

- A. Only those who voluntarily contribute to the bank may derive its benefits.
- B. A person shall not be able to request days from the Bank until his own accumulated sick leave days and personal leave days are depleted and a waiting period of five consecutive working days without pay is completed.

These five (5) days must be after the onset of the illness for which sick bank days are being requested. This means benefits cannot begin before the 6th consecutive contract day during illness.

- C. Days granted from the Bank shall be used only for extended illness. The SLBC will consider an extended illness to be one that involves ten or more consecutive working days.

VII. Procedure for requesting days from the bank:

- A. All requests for days from the Bank must be submitted in writing to the SLBC on the prescribed form within ten (10) school days after their accumulated sick/personal days are depleted. Such a request may be submitted by the participator or by a member of his family on his behalf. The teacher's building representative may apply in the event there are no close relatives.
- B. All requests upon the Bank must be accompanied by a physician's signed statement (i.e. M.D., O.D., D.D.S.) confirming the illness or confinement, as well as the anticipated

duration of the illness or confinement.

VIII. Committee Guidelines concerning requests from the bank:

- A. Any request for days from the Bank shall be acted upon by the entire SLBC.
- B. The SLBC shall review and recommend to the Corporation Bookkeeping Department approval or denial of all requests to draw on the Bank within ten working days after which such request is received by the SLBC.
- C. The SLBC shall also make its decision known to the applicant in writing within the same ten (10) working day period mentioned in Section VIII-B.
- D. The SLBC shall limit the number of days granted from the Bank to twenty (20) school days in a given school year.
- E. Periodic reviews by the SLBC of all Bank use shall be made.
- F. All decisions of the SLBC are appealable to the Director and not grievable under the Master Contract, but decisions are subject to not more than one appeal. The Director shall have final discretion on appeals.

IX. Procedure for Repayment of Days to the Bank:

- A. A recipient of days from the Bank who stays in the employment of Special Services, Johnson County Schools shall be required to repay those days at the rate of at least **five (5) days** at the beginning of each new school year until ~~one hundred percent (100%)~~ **seventy-five percent (75%)** of borrowed time has been repaid.
 - 1. Repayment will begin with the school year immediately following withdrawal of days from the Bank.
 - 2. If a participant remains an employee of Special Services, Johnson County Schools and decides to withdraw from the Bank, any days donated remain the property of the Bank, and any days owed the Bank shall be deducted the same as if the person was continuing to be an active member until these days are repaid. Repayment shall begin with the first week of the school year immediately following withdrawal from the Bank.
- B. A recipient of days from the Bank who leaves the employment of Special Services, Johnson County Schools shall be required to repay all those days in one of the following ways:
 - 1. The recipient may transfer any accumulated sick leave days to the Bank as payment of the loan, if sufficient to repay the loan.
 - 2. The recipient may have the financial value of the remaining days due deducted from his final checks at the daily rate at the time of his loan. The number of

days repaid in this manner will be credited to the Bank.

3. The recipient may use a combination of these two until the full loan of days has been repaid.
- C. A recipient who retires while still owing the Bank, must repay the Bank the accumulated sick days up to the number owed, prior to applying for retirement pay.
- D. A recipient who becomes totally disabled while still owing the Bank, must repay the Bank the accumulated sick days up to the number owed. This person will not be required to repay the Bank in monetary value as stipulated in Section IX, B.2 and B.3.
- E. In consideration of the benefits of participating in the Bank, each applicant for membership in the Bank shall, as a condition to such application, agree in writing substantially as follows:

"I specifically acknowledge and agree that the granting of days from the Voluntary Sick Leave Bank shall be at the sole discretion of the Sick Leave Bank Committee or, in the event of an appeal, the Director, and that all decisions of the Sick Leave Bank Committee or the Director will be final and binding. I further agree to abide by such decisions and to indemnify and hold harmless the Johnson County Special Services Education Association, the Governing Board of Special Services, Johnson county Schools, the Sick Leave Bank Committee, and the Director and all of their agents for any loss they may sustain as a result of any claim or legal proceedings I may bring against any of them with respect to a decision made by any of them concerning this application."
- F. When an employee donates days to the Bank he agrees to all the above stated rules for administration of the Bank, and agrees to abide by the stated rules.

X. Annual Report:

An annual report of the Bank will be published on or before October 31 for each budget year the Bank is in operation. This report will be published by the Association Sick Leave Bank Committee and approved by the Director and the President of the Association prior to publication. The report shall include a statement of the number of days contributed to the Bank, the number of days granted from the Bank, the number of days remaining in the Bank, and the total cost of the days granted.