

## BALDWIN COUNTY BOARD OF EDUCATION

### Employee Sick Leave Bank Guidelines

#### **STATEMENT OF INTENT**

The purpose of the Sick Leave Bank (SLB) is to provide a loan of sick leave days for contributors to the bank after their accumulated sick leave days have been exhausted.

#### **I. SLB Committee:**

- A. The SLB Committee shall consist of five members, one representing the Board of Education and four representing the participating members of the SLB.
  - (1) Employees will represent BCEA, BCAPE and BESPO.
  - (2) The Superintendent shall appoint the Board's representative on the Committee, subject to Board approval.
  - (3) At the beginning of each scholastic year, an election shall be held among the SLB members to determine by secret ballot the four members who are to serve on the SLB Committee. The term of office shall be one year. The Superintendent shall be responsible for conducting the election in a fair and equitable manner, ensuring the confidentiality of the secret balloting process.
- B. Notwithstanding any other provision of law to the contrary, it shall be the exclusive responsibility of the SLB Committee to establish the guidelines and administrative procedures of the SLB, including the catastrophic leave provisions of this section. It shall also be the Committee's duty to establish all necessary forms for the orderly operation and administration of the SLB and catastrophic leave provisions of this section. The Committee will submit guidelines and forms to the employees and Superintendent for approval and use in accounting for the SLB. To ensure the orderly transfer and acceptance of catastrophic sick leave days from one SLB to another, the State Board of Education shall provide a uniform state form.
- C. The SLB Committee will elect, by majority vote, a chairperson from among its representatives at its first annual meeting. Once the Committee has been elected and formed, the members shall meet at least annually following each enrollment period. The Committee will also meet as necessary in its discretion.
- D. The guidelines of the SLB as established by the SLB Committee shall be approved by a secret ballot vote of the participating members of the SLB. The accounting of the SLB shall be the responsibility of the Board of Education. The respective parties shall fill vacancies occurring on the Committee. No representative on the Committee shall serve for a term longer than five years.
- E. Any alleged abuse of the SLB shall be investigated by the Committee and, on finding of wrongdoing; the violator shall repay all the sick leave credits drawn from the SLB and be subject to appropriate disciplinary action by the Baldwin County Board of Education.

#### **II. Guidelines for the Baldwin County Board of Education SLB**

- A. The SLB shall allow the employees to deposit one day of his or her earned sick leave into the bank. The day deposited shall be available to be loaned to any participating member whose sick leave has been exhausted.
- B. Any full-time employee of the Baldwin County Board of Education is eligible to join the SLB. Participation shall be on a voluntary basis.
- C. The Payroll Department will distribute contribution forms to all eligible employees. To join the SLB, the full-time employee of the Board shall complete the authorization form contributing one day to the SLB or committing one day to the SLB.
- D. The contribution or commitment of the sick leave day into the SLB must take place during a set enrollment period that shall be from Teacher Institute Day through September 30<sup>th</sup> or on the date of hire. Employees who have previously failed or refused to join the SLB may not join at a later

date during the same school year. Such employees must wait until the next annual open enrollment period to join.

- E. The Payroll Department will maintain accurate records of contributors eligible to participate in the SLB. The SLB shall be terminated if the participation falls below 25% of eligible employees.
- F. To be eligible for a loan from the SLB, a participating member must have exhausted all accumulated sick leave in his/her personal account. Any sick leave drawn from the bank by a participating employee shall be used in accordance with the definition of the sick leave set forth in Section 16-1-18.1 of the Code of Alabama and the Baldwin County Board of Education policies and procedures.
- G. No employee shall be allowed to owe more than 10 days to the SLB, unless over 50 percent of the members of the bank vote to extend the limit.
- H. Sick leave days shall be repaid to the SLB monthly as re-earned by the member. Upon the resignation, retirement or other termination of an employee who has an outstanding loan of sick leave days, the value of the loan shall be deducted from the final paycheck at the employee's prevailing rate of pay.
- I. The SLB Committee shall investigate any alleged abuse of the use of the SLB. On the finding of wrongdoing, the member shall repay all of the sick leave credits drawn from the SLB and be subject to other appropriate disciplinary action as determined by the local authority.
- J. Upon retirement or transfer of the SLB member, days on deposit with the SLB shall be withdrawn and transferred with the employee or made accessible for retirement credit, as applicable.
- K. Before being eligible to use catastrophic sick leave days, the member of the SLB shall first borrow and utilize days from the SLB, up to a maximum of 10 days. However, if the member later qualifies for catastrophic sick leave, donated catastrophic sick leave days may be used to repay days owed to the SLB to the credit of the affected member.

**Catastrophic Sick Leave.** In accordance with ACT 95-386, which amends Section 16-22-9 of the Code of Alabama, the Board of Education provides Catastrophic Sick Leave to employees who are members of the Sick Leave Bank and who suffer a catastrophic illness. A "Catastrophic Illness" is defined as any illness, injury, or pregnancy or medical condition related to childbirth, certified by a licensed physician which causes the employee to be absent from work for an extended period of time, *i.e.* at least 30 consecutive calendar days.

- a. Employees, at their discretion, may donate a specific number of days to the SLB to be designated for a specific employee for use against a catastrophic illness as defined by this section. A donating employee shall not be required to donate a minimum number of catastrophic days to the SLB. The recipient employee may use catastrophic sick leave days for himself or herself or for other covered persons as provided in Section 16-1-18.1.
- b. An employee must be a member of the SLB to donate catastrophic sick leave days. An employee must be a member of the SLB and must be tenured or non-probationary in order to receive donated catastrophic sick leave days.
- c. Before sick leave days for a catastrophic illness may be used by a recipient employee, the recipient employee shall have first exhausted all available sick leave and personal leave., to include the 10 days borrowed from the Sick Leave Bank and annual days and compensatory time if applicable. Donated days shall become available for use by the particular employee who shall not be required to repay the days. Any employee who donates sick leave days to the SLB for a particular employee suffering from a catastrophic illness shall be clearly informed that the donated days are not to be recovered or returned to the donor. If a particular employee does not require all of the days donated to the credit of the employee, the days shall revert to the credit of those employees who donated the days in accordance with the guidelines adopted by the SLB Committee. No employee may donate more than 30 sick leave days, exclusive of the provisions of subsection (e), to the SLB for the catastrophic sick leave of any one employee. An employee that donates sick leave days must ensure that they leave a minimum of 10 sick leave days in their account. An employee may be granted a waiver for the 10-day minimum if they are donating leave due to impending retirement. A SLB is authorized to donate sick leave days to another SLB for use by a particular employee who is suffering a catastrophic

illness. No limit is established on the number of days a beneficiary employee may receive from donors.

- d. A recipient employee may use catastrophic sick leave days for himself or herself or for other covered persons as provided in Section 16-1-18.1. e.g. the employee's immediate family (parent, spouse, child, foster child currently in the care and custody of the employee, sibling) or an individual with a close personal tie.
- e. A beneficiary employee may earn regular sick leave while on catastrophic leave donated by other employees; however, the beneficiary employee must use the day earned each month as it is earned.
- f. An employee who donates sick leave for catastrophic illness purposes may still accumulate the maximum number of days allowed by law.
- g. Donated catastrophic sick leave may be used to repay days owed to the sick leave bank by the recipient employee.
- h. Donated days not used by a beneficiary employee shall revert to employees who donated the days. (The days should revert on a proportionate basis based on the number of days donated. After the beneficiary employee returns to work, a period of 30 days should pass before unused days are returned to donors.)
- i. **Procedures For Requesting Catastrophic Sick Leave.**

1. Employee must submit the following completed and signed **original** forms:
  - a. A Catastrophic Sick Leave Request.
  - b. A Medical Verification for Catastrophic Illness/Injury completed by employee's physician.
2. Employee must submit forms to the Payroll Department.
3. The Payroll Department will immediately submit documents to the Sick Leave Bank Committee.
4. The Sick Leave Bank Committee must either approve or disapprove Request for Catastrophic Sick Leave within 48 hours and notify Payroll Department with a faxed or emailed decision.
5. Upon receipt of Committee's decision, Payroll Department will notify employee of decision.
6. If approved, the donating employee and the beneficiary employee must complete and submit to Payroll Department the transfer authorization form that is provided.
7. To receive catastrophic sick leave, the beneficiary employee should be away from his/her duties for a period of 30 consecutive calendar days, or provide sufficient evidence to document that extenuating circumstances warrant exception of this clause. The SLB Committee will approve or disapprove any requests for a waiver.