

POLICY TITLE:	Certificated/<u>Classified</u> Sick Leave Bank Minidoka County Joint School District # 331	POLICY NO: 544.15 PAGE 1 of 2
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The purpose of the Sick Leave Bank is to alleviate economic hardship and provide for additional leave due to absences from work which extend beyond all of the employee’s accumulated leave as a result of major medical illness and/or injury.

A major medical illness and/or injury is an acute or prolonged illness or injury that is considered by a licensed healthcare professional to be life-threatening or poses the threat of serious residual disability that may result in an employee’s inability to work or perform their job safely.

Examples of a major medical illness or injury include, but are not limited to:

- Serious, debilitating illness, impairment, or physical/mental condition that involves treatment in connection with an extended stay in a hospital, hospice, or residential medical facility.
- Serious, debilitating illness, impairment, or physical/mental condition that renders the employee incapable of performing their assigned duties in any capacity.
- Illness or injury that require high intensity/high frequency treatments necessary for a chronic or long-term condition that is so serious, that if not treated, would likely result in an extended period of incapacity or death.
- Terminal illness that renders the employee incapable of performing their assigned duties.

Guidelines and Procedures for Implementation

1. **Procedures:** The District shall have the authority to establish such guidelines and procedures as it deems necessary to implement this program. The guidelines shall be established in collaboration with the Association and the District.
2. **Sick Leave Bank Membership/Certified:** Each professional employee of the District covered by contract may participate in the Sick Leave Bank. To participate, each employee shall, prior to October 1 of each year, contribute at least one (1) sick leave day until the maximum is reached. If after the first year, the bank falls below 180 days, every member shall be assessed one (1) sick leave day. At the time of that assessment, if a member has exhausted all of his/her personal sick leave, he/she may elect to delay payment until the start of the next school year or to immediately withdraw from and forfeit membership in the sick leave bank. Sick leave days contributed shall be deducted from the individual's accumulated sick leave. The contributed sick leave days shall form a Bank of sick leave days, which will be available to all eligible professional employees for absences due to a major medical illness and/or injury extending beyond the employee's accumulated sick leave. The Bank may accept voluntary donations of one additional day per employee above the regular contributions from members until the Bank reaches a total maximum of 500 days. Eligible employees electing not to join during the initial enrollment period or within 15 days after signing a contract must wait until the open enrollment period in September of the following year.
3. **Sick Leave Bank Membership/Classified:** Each eligible classified employee of the district may participate in the sick leave bank. To be eligible, a classified employee must have a signed work agreement and work at least twenty (20) hours per week for five (5) consecutive

months. To participate, each employee shall, within fifteen (15) work days of signing a work agreement (schedule) or prior to October 1st of each year, contribute the equivalent hours of one (1) sick leave day until at least 1000 hours is reached. - If the number of hours available falls below 500 hours then every member of the Sick Leave Bank shall be assessed the hours equivalent to one (1) additional sick leave day. At the time of that assessment, if a member has exhausted all of his/her personal sick leave, he/she will forfeit their membership in the sick leave bank and can reapply for the next school year. Sick leave days thus contributed shall be deducted from the individual's accumulated sick leave. Eligible employees electing not to join during the initial enrollment period or within fifteen (15) days after signing a work agreement (schedule) must wait until the time of signing a work agreement (schedule) for the following year. The contributed sick leave hours shall form a bank of sick leave hours which may be available to all eligible classified employees for absence from work necessitated by prolonged or recurring illness extending beyond the employee's accumulated sick leave. The bank will accept voluntary donations. The bank shall be under the direction and control of the District. **Use of the Bank:** Application for use of the Bank shall be submitted to the District Office via the superintendent and/or his/her designee. The application will require a physician's verification of the major illness and/or injury at the time of application, and as deemed necessary after a grant has been made.

4. **Requirements to Access the Bank:** In order for a professional employee to be eligible for sick leave benefits from the Sick Leave Bank, the employee must, before making application:
 - be a contributor to the bank
 - have been absent from work due to major illness and/or injury
 - ~~have been employed by the District no less than five months~~
 - must have been a member during the previous 12 months
 - have been an employee by the District no less than five months (classified)
 - have used all accumulated sick leave days and personal leave days and had two days where the salary was reduced in full
 - submitted an application on the form provided by the District within 15 days of the depletion of all accumulated leave.
 - The member, or the family member or agent of an incapacitated member, shall secure written proof of illness or injury adequate to protect the District against malingering and false claims of illness as in Idaho Code 33-1216 and 33-1218.
5. **Application Review Process:** The District shall establish a Sick Leave Bank Committee (SLBC) to review each application consisting of the superintendent and/or his/her designee, the human resource supervisor and/or his/her designee, and a minimum of two teachers from the Association. After complete review of the application, the SLBC shall have the authority to make final decisions within the guidelines as to the disposition of the case. Notification of the decision will be given to the employee within two weeks after the request is made.
6. **Duration:** The maximum number of days which may be granted in any one school year will be the remaining number of days an employee is scheduled to work, not to exceed sixty (60) days. An employee shall not receive more than his/her contracted salary for that year. Within any five-year period, the number of days granted to one person will not exceed 180 days or the number of days actually absent. Grants will not be made for family members. Grants may not be used for elective surgery.

7. **Grant Termination**: Bank grants will end at the termination of the school year. If a professional employee does not use all of the days granted by the Bank, the unused sick leave days will be returned to the Bank. Days given to the Bank remain the property of the Bank and cannot be transferred if a teacher leaves the District or chooses to drop membership in the Bank.

Alternative Application Process:

In the event a member is physically or mentally unable to apply for days from their bank, a family member or agent may file the request. In such cases, any requirement that documents or applications be signed by the employee shall be waived

8. **Donations to Others**: Employees are not permitted to donate days to others via the sick leave bank. Refer to Policy 544.10 to directly donate to employees.

LEGAL REFERENCE:

ADOPTED: February 19, 1991

AMENDED/REVISED: June 3, 1998; May 17, 2010; July 18, 2011; April 20, 2015; February 14, 2022