

DORCHESTER COUNTY PUBLIC SCHOOLS SICK LEAVE BANK

The purpose of the Sick Leave Bank is to provide sick leave to contributing employees after accumulated sick leave granted from the Board of Education has been exhausted; and more specifically, to provide such leave in cases of illness as defined below.

For the purpose of administering the Sick Leave Bank, the definition of sick leave shall be:

Sick leave is a designated amount of compensated leave that is to be granted to a contributing member who through personal illness, injury or quarantine is unable to perform the member's duties of position.

SLB =Sick Leave Bank

Member =current contributor to the SLB

DE =Dorchester Educators

Application =request for usage of SLB days

BOE =Board of Education

RULES OF PROCEDURE

- I. Sick Leave Bank Membership
- II. Application to the Sick Leave Bank
- III. Sick Leave Bank Usage
- IV. Administration of Sick Leave Bank
- V. Sick Leave Bank Forms

I. BANK MEMBERSHIP

A. All full time employees of Dorchester County Public Schools are eligible to contribute and apply for membership to the Sick Leave Bank. Contributors will be permitted to use the SLB for salary extended sick leave of prolonged, catastrophic, incapacitating personal illness, injury or quarantine of the employee during the regularly scheduled duty days, which illness, injury or quarantine is not likely to permanently disable the employee.

B. The contribution, on the appropriate form, will be authorized by those eligible and continue from year to year until cancelled in writing by the member. Sick leave properly authorized to the Sick Leave Bank for contribution will not be returned if the member of the SLB effects cancellation. Cancellation may be effected by a letter of resignation to the DCPS Human Resources Department. The resigned member shall not be eligible to use the Sick Leave Bank as of the effective date of the resignation.

DORCHESTER COUNTY PUBLIC SCHOOLS SICK LEAVE BANK

C. First time applications for membership can be made July 1 through September 30. Employees returning from extended leave and new employees may apply for membership within the first thirty calendar days after reassignment or employment. Member returning from extended sick leave will be permitted to apply for membership to the Sick Leave Bank on approval of the SLB committee.

D. Annual rates of contribution shall be determined by the Sick Leave Bank Committee each year. The initial rate of contribution for members joining during the 2012-2013 school and beyond shall be two (2) days per year for three (3) consecutive years. Additional contributions will be made as needed and at the request of the SLB Committee.

E. The number of accumulated sick leave days available at any time for any purpose, including days counted as creditable service for retirement benefits, will not include the number of days which the employee has contributed to the Sick Leave Bank.

F. The maximum number of days that can be granted to any one member of the Sick Leave Bank during any school year will be the number remaining duty days the member is scheduled to work in the school year of the grant. In no case will the granting of leave from the SLB cause a member to receive more than his/her annual salary. The SLB may not grant more days than its members have contributed.

G. Persons eligible to join the Sick Leave Bank, may not join after diagnosis of a catastrophic, or incapacitating personal illness.

II. APPLICATION TO THE SICK LEAVE BANK

A. In order to draw days from the Sick Leave Bank, a member must have made the appropriate personal contribution for the school year and be an approved member of the SLB.

B. Members must use all accumulated personal sick leave before applying for days from the Sick Leave Bank. (Refer to III, A)

C. All requests to draw upon the Sick Leave Bank shall be made on the approved Sick Leave Bank *Usage Request* Form and be submitted to the committee, via the DCPS Human Resources Benefits Coordinator, no later than 30 calendar days after the last available personal sick leave day. (Exceptions may be made in extreme or unusual cases).

D. All requests to draw upon the Sick Leave Bank must be accompanied by the Sick Leave Bank *Physician's Statement*, signed by the physician, confirming the cause of the illness or confinement.

DORCHESTER COUNTY PUBLIC SCHOOLS SICK LEAVE BANK

E. A member requesting days from the Sick Leave Bank may be required to obtain a second opinion by a physician of the SLB Committee's choice at any time and at the applicant's expense. However, after an applicant has drawn and used ninety (90) days from the Sick Leave Bank, he/she shall be required to have a medical review by a physician designated by the SLB Committee, at the applicant's expense. The *Physician's Statement* must be sent directly to the SLB Committee before the committee can act upon his/her application for an extension of coverage by the SLB. The SLB Committee may waive the medical review requirement.

F. Sick Leave Bank grants will not be carried over from one year to another. All SLB grants will end as of the last scheduled duty day of the school year in which they were authorized. A new application for a SLB grant must be submitted for review by the committee for a succeeding school year. If the same illness has been continually incapacitating through the summer months (if a ten or eleven month employee), the applicant must still meet the twenty (20) day requirement each successive school year (Refer to III, A)

G. In the event an eligible member has been incapacitated, the member's application may be submitted to the DCPS Human Resources Benefits Coordinator or SLB Committee member by the member's agent, the building principal or a member of the family.

H. All forms concerning the Sick Leave Bank are available from the Membership Liaison in each school the DE office, the DCPS website or the DCPS Human Resources office.

III. Sick Leave Bank Usage

A. Members must use all accumulated personal sick leave or any other type of paid leave before applying for leave from the Sick Leave Bank. The first twenty (20) consecutive work days of incapacitating illness or disability must be covered by the member's own available sick leave, annual leave, personal leave, or leave without pay before the member qualifies for a grant from the Sick Leave Bank.

B. If a member of the Sick Leave Bank does not use all of the days granted from the SLB, the unused days will be returned to the SLB.

C. The Sick Leave Bank may be used only by the individual SLB member for his/her personal illness. The Sick Leave Bank may not be used for the illness of other family members. The SLB may not be used to remain away from the member's position in order to assist a family member who is ill.

D. The Sick Leave Bank may not be used for normal pregnancy and childbirth related disabilities, or elective treatments. The SLB may be used for serious complications resulting from the above, which fit the definition of incapacitating illness or disability as determined by the SLB committee.

DORCHESTER COUNTY PUBLIC SCHOOLS SICK LEAVE BANK

E. Sick leave days may not be granted from the Sick Leave Bank for the period of disability when monies are paid to a member under the Workers' Compensation Law.

F. A member will lose the right to utilize the benefits of the Sick Leave Bank by:

1. Termination or suspension of employment in the Dorchester County Public Schools.
2. Cancellation of participation.
3. While on approved leave of absence.
4. Any abuse or misuse of the Rules of Procedures established by the Sick Leave Bank Committee.
5. Refusal to continue regular contributions at the beginning of each school year.

H. In cases where the Sick Leave Bank Committee denies an application for use of the Sick Leave Bank or for an extension of such use, the applicant may appeal the request to the DE Executive Board within 20 calendar days of the date of SLB denial action, as determined by the date of the signatures at the bottom of the SLB Usage Notification form or of the date of the postmark on the envelope, whichever is later.

I. Leave may be granted in blocks of up to thirty (30) days per application. Applicants may submit requests for extensions of leave grants before their prior grants expire. A medical review may be requested after an applicant has used ninety (90) Sick Leave days. (Refer to II, E)

J. Anyone who joins the Sick Leave Bank with a pre-existing diagnosed condition or illness for which they have received treatment within the last ninety (90) days, will not be eligible for grants from the SLB for illness resulting from or related to that specific condition until the member has remained treatment-free for ninety (90) days while a member of the SLB. For the purposes of this section, "treatment" shall mean any period of hospitalization, doctor's treatment, clinic treatment, surgery, diagnosed procedure or prescription.

DORCHESTER COUNTY PUBLIC SCHOOLS SICK LEAVE BANK

IV. Administration of Sick Leave Bank

A. The DE President will appoint four (4) DE and two (2) ESP members to the Sick Leave Bank Committee. Additionally there shall be one (1) member representing Administration/Supervision along with the Human Resources Administrator who will complete the committee. The committee will have the responsibility of receiving requests, verifying the validity of requests, recommending approval or denial of requests, and communicating its determination to the applicant and to the Board of Education. Applications for use of the SLB will be reviewed by a minimum of three (3) members of the SLB Committee. Any approval for usage of the SLB must have the support of a majority of the Sick Leave Bank Committee.

B. It shall also be the purpose of the Sick Leave Bank Committee to recommend such rules, in addition to those provided for in this agreement, as the committee considers appropriate for the operation of the Sick Leave Bank. The recommended rules must be approved by the *Executive Board of Dorchester Educators* and the *Superintendent of Schools* before taking effect. Once approved, the rules will be made available to the SLB membership.

C. The Sick Leave Bank Committee shall approve or deny SLB grants and forward the necessary information to the applicant and the **Payroll Department** at the Board of Education within fifteen (15) working days after such a request is received by that committee based on the date of the postmark.

D. When the Sick Leave Bank Committee may reasonably believe that an applicant for a grant or an extension of a grant may be eligible for disability retirement benefits, from the Maryland State Retirement system and/or Social Security, the SLB Committee shall request that the grant applicant apply for such disability benefits. A copy of the disability retirement application must be submitted to the State Retirement system and to DE before any future grants will be approved. Failure to apply when advised shall disqualify the applicant for any further Sick Leave Banks grants.

E. If a disability retirement is denied by the State Retirement System, the Sick Leave Bank Committee may refer the applicant to a physician of its choice to obtain a prognosis as to whether the member will be able to resume his/her duties. If this report indicates that the member will never be able to resume his/her duties, the SLB committee shall require the member to appeal the ruling of the State Retirement System using the report of the physician as the basis of the appeal. If the physician indicates that the applicant is able to return to his/her duties, the applicant will no longer be eligible for a Sick Leave Bank grant.

F. Records for the Sick Leave Bank will be maintained by the Board of Education (Human Resources Department)

G. The deduction of sick leave contributed to the Sick Leave Bank will be deducted during the month of November or as otherwise approved by the SLB committee.

DORCHESTER COUNTY PUBLIC SCHOOLS SICK LEAVE BANK

I. No later than July 1, the Board of Education will provide the Sick Leave Bank Committee Chair person a record days in the SLB and current members.

J. All records, proceedings and actions of the Sick Leave Committee shall be held in the strictest confidence by members of the Sick Leave Bank Committee, legal counsel, the DE Executive Board, and the Board of Education. All members of the Sick Leave Bank are also expected to respect this confidentiality.

V. Sick Leave Bank Forms

- A. Sick Leave Bank Membership Application
- B. Sick Leave Bank Usage Request
- C. Sick Leave Bank Physician's Statement
- D. Sick Leave Bank Usage Notification
- E. Sick Leave Bank Committee Report