

# Sick Leave Guidelines

The Alexander City School Employees' Sick Leave Bank shall operate under the provisions of Alabama Act #84-321.

## **SECTION I - ORGANIZATION:**

1. The sick leave bank committee shall establish procedures providing for the uniform administration of the sick leave bank. It shall be comprised of five employees, one representing the school system and four representing the participating members of the sick leave bank.
2. At the beginning of each scholastic year, an election shall be held among the sick leave bank members to determine by secret ballot the four members who are to serve on the sick leave bank committee. The term of office shall be one year. The superintendent of the school system shall be responsible for conducting the election in a fair and equitable manner, ensuring the confidentiality of the secret balloting process. The superintendent shall also appoint the school system's representative on the committee, subject to board approval. New committee members will assume their duties on October 1 each year.
3. No representative on the committee shall serve for a term longer than five years.
4. Vacancies occurring on the committee shall be filled by the respective parties.
5. The sick leave bank shall be terminated if participation falls below 10% of eligible employees.
6. Amendments to these official guidelines of the sick leave bank must be approved by the sick leave bank committee, ratified by a majority vote of the participating employees, and approved by the Alexander City Board of Education.
7. The Alexander City Board of Education will provide accounting and administrative supervision for the sick leave bank.

## **SECTION II - PARTICIPATION:**

1. Participation in the sick leave bank shall be voluntary. All full-time employees (certified and non-certified) are eligible to participate in a joint sick leave bank administered by one sick leave bank committee.

2. Except as explained in the following paragraph, members of the sick leave bank must deposit (5) five sick leave days into the bank.
  - A. At the beginning of the scholastic year, or upon employment of a new employee, as the case may be, the appropriate number of sick leave days (5) shall, upon application of the employee, be credited to the employee's account to enable the employee to join the sick leave bank.
  - B. If the employee does not have the minimum number of sick leave days (5) to enable him or her to join the bank, the appropriate number of sick leave days will be credited (advanced) to the employee. The credit balance will be reduced by one day each month as the sick leave days are earned by the employee.
  - C. The provisions of SECTION II, A. shall also apply to employees with catastrophic conditions as defined in SECTION IV. Such employees may have donated catastrophic sick days credited to their accounts in order to fulfill the five (5) day requirement to join the sick leave bank.
  - D. The repayment provisions of Section II, 7. apply to days credited to an employee's account to enable him or her to join the bank.
3. Days deposited into the sick leave bank are available for loan only to eligible employees participating in the sick leave bank.
4. Sick leave days in the bank may not be loaned to a participating member until:
  - A. The member has used all personal leave days, and
  - B. The member has exhausted all available sick leave. Available sick leave is defined as earned sick leave days above and beyond those days the individual has on deposit in the sick leave bank.
5. No employee shall be allowed to owe more than 15 days to the sick leave bank unless over 50% of the members of the bank vote to extend the limit.
6. Sick leave drawn from the bank by participating employees shall be used in accordance with the definition of sick leave set forth in the Code of Alabama 16-22-9 and by The Alexander City Board of Education. (See complete list of valid sick leave reasons on form for requesting days from sick leave bank – page 8).

7. Sick leave days shall be repaid to the sick leave bank monthly as re-earned by the member.
8. An individual cannot leave employment without repaying any outstanding debt of leave days to the Sick Leave Bank, except as provided by the catastrophic provisions of these guidelines. If the member has no sick leave days remaining, then his/her final check shall be garnished at the prevailing rate of pay for the number of days owed to the Sick Leave Bank. Such monies collected from the former member of the Sick Leave Bank by administration shall be used to replace the number of days borrowed from the Sick Leave Bank. If a member of the Sick Leave Bank has days borrowed and is on sick leave and cannot return to work due to a permanent disability, the employee of his/her designation may request a donation of days under the catastrophic sick leave provisions; in such case, the donated days shall be used to repay the Sick Leave Bank and the beneficiary employee's last paycheck shall not be garnished.
9. Upon retirement or transfer of the sick leave bank member, days on deposit with the sick leave bank shall be withdrawn and transferred with the employee or made accessible for retirement credit, as applicable
10. Members who wish to voluntarily withdraw from the bank may do so during the period May 15 through September 15 each year. A written request to terminate must be presented to the payroll office on or before September 15.
12. Open enrollment is from August 1 through September 15. New employees may enroll during the first thirty (30) days of employment.
13. Sick leave bank days will be awarded based upon the criteria established in these Guidelines. Any exception will require approval of more than 50% of the participating sick leave bank members and the superintendent of the Alexander City School System.
14. A written request, on prescribed forms, for sick leave bank loans must be submitted to the sick leave bank committee, in care of the central office. The sick leave bank committee shall screen the requests by the payroll cut-off date of each month.
15. If a sick leave bank member wishes to appeal a decision of the sick leave bank committee, such appeal must be presented to the committee chairperson within 10 working days after the committee's decision. If needed, one appeal will be allowed after an initial decision has been made by the sick leave bank committee. Decisions on appeals made by the committee will be final.
16. The sick leave bank committee shall submit, on prescribed forms, required documentation to the payroll office on or before established due dates for payroll processing.

17. Loans for incapacitated members may be requested by a designated agent. The agent must be a member of the sick leave bank member's immediate family or be approved by the sick leave bank committee.
18. All allegations of abuse of the sick leave bank shall be investigated by the committee. Should there be any finding of wrongdoing, the employee shall repay all of the sick leave credits drawn from the bank and be subject to other appropriate disciplinary action as determined by the Alexander City Board of Education.
19. After requesting and receiving 5 days during the current school year, additional documentation may be requested by the committee.

### **SECTION III - CATASTROPHIC SICK LEAVE:**

1. Act 93-753 which amends Section 16-22-9, Code of Alabama, establishes catastrophic sick leave provisions for members of sick leave banks. Membership in a sick leave bank established by authority of the code section noted above is required before an employee is permitted to donate or receive catastrophic sick leave.
2. Alabama Code Section 1.(a)(3) defines catastrophic illness 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".
3. Before being eligible to use catastrophic sick leave days, the member of the sick leave bank shall first borrow and utilize days from the sick leave bank, up to a maximum of 15 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 sick leave bank to the credit of the affected member.
4. Employees, at their discretion, may donate a specific number of days to the sick leave bank to be designated for a specific employee for use against a catastrophic illness as defined in SECTION IV, 2. A donating employee shall not be required to donate a minimum number of catastrophic days to the sick leave bank. The recipient employee may use catastrophic sick leave days for himself or herself or for other covered persons as provided in Alabama Code Section 16-1-18.1.
5. Before sick leave days for a catastrophic illness may be used by a recipient employee, the recipient employee shall have first exhausted all sick and personal leave.

6. A recipient employee suffering catastrophic illness/injury is not required to repay days contributed by other employees. Any employee who donates sick leave days to the sick leave bank 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.
7. Donated days not used by a beneficiary employee shall revert to the employee(s) who donated the days. Unused days will revert on a proportionate daily basis with any remaining fractional day being reverted by lot.
8. No employee may donate more than thirty (30) sick leave days for the catastrophic sick leave of any one person.
9. Section 16-22-9, Code of Alabama, as amended by Act 93-753, authorizes members of sick leave banks to donate catastrophic sick leave days to individuals in any other sick leave bank established under the statute listed above.
10. No limit is established on the number of days a beneficiary employee may receive from donors. However, the sick leave bank committee will review days awarded for catastrophic purposes at least on a monthly basis. Based on these reviews, the sick leave bank committee and/or Alexander City Board of Education may request additional information to verify that an employee's absence continues to qualify as "Catastrophic".
11. Beneficiary employees earn regular sick leave while on catastrophic leave donated by other employees. However, days of regular sick leave earned must be applied before additional catastrophic sick leave may be used.
12. The following procedures shall be used to request/use catastrophic sick leave:
  - (1) After the occurrence of a possible catastrophic injury/illness, the sick leave bank member or his representative will be responsible for contacting the sick leave bank committee. The committee will make the following forms available (copies attached):
    - (a) Catastrophic sick leave statement by attending physician;
    - (b) Catastrophic sick leave transfer authorization.
  - (2) The sick leave bank member or his representative will be responsible for submitting the form, item (1)(a) above, to the attending physician and returning the completed form to the sick leave bank committee.

- (3) The sick leave bank member or his representative will be responsible for soliciting catastrophic sick leave days from other sick leave bank members. To qualify for catastrophic sick leave, a completed transfer form, item (1)(b), must be returned to the sick leave bank committee by the member or his representative.
  
- (4) The completed attending physician's statement and transfer authorization should be returned to the sick leave bank committee

#### **SECTION IV - COMMITTEE MEETINGS:**

1. A chairperson shall be elected annually by the membership of the sick leave bank committee. The term of office will be October 1 through September 30. The chairperson will be permitted to vote on all matters. The superintendent of the school system will designate a secretary for the sick leave bank committee. The secretary will not be a committee member nor be permitted to vote on official business of the sick leave bank.
  
2. The secretary will poll committee members by e-mail on a monthly basis, if needed, for routine requests to borrow days from the sick leave bank. A majority vote (3 of 5) is required to grant loans of sick leave bank days. The committee members or secretary will request meetings for non-routine matters related to the sick leave bank.
  
3. The format of business meetings of the sick leave bank committee will be based on Robert's Rules of Order.
  
4. Votes cast on motions generated by committee members will be in the form of open, verbal ballots.
  
5. Committee members, who are also members of the sick leave bank, shall refrain from voting on matters that affect them personally.
  
6. Except as noted in item 2. above, a quorum of three of five members will be required to conduct official business of the sick leave bank.

7. The primary responsibilities of the secretary will be to record the minutes of each meeting, assist in communicating with the membership of the sick leave bank and process requests from members to borrow sick leave bank days.

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