

St. Bernard Parish School System Sick Leave Bank Policy

The following policy on Sick Leave Bank is taken directly from the *Agreement Between St. Bernard Association of Educators and St. Bernard Parish School Board* dated August 25, 2015 – June 30, 2019:

ARTICLE XVII – SICK LEAVE BANK

17.1 ELIGIBILITY TO PARTICIPATE

Only eligible employees may participate in the sick leave bank. To be eligible, an employee must have a balance of at least 15 days of sick leave, vacation leave, or a combination of both after making any contribution required by the Bank's administrators for membership. Any employee's entitlement to extended sick leave as provided in Section 16.17 of this Agreement shall not be considered or counted in determining whether that employee is eligible. No employee shall be required to participate in or become a member of the Sick Leave Bank, and employees who participate shall contribute two (2) days per year of accrued sick leave or vacation leave to the Bank. Contributions shall be made by those employees wishing to participate in any fiscal year by the 10th of June prior to the commencement of the fiscal year in which they will participate. The Bank's Administrators shall provide the Finance Office with a list of those employees who will participate no later than the 16th of June each year. Eligible employees who do not elect to join the Sick Leave Bank within the annual enrollment period will not be permitted to join until the subsequent Annual Open Enrollment period. Enrollment as a member of the Sick Leave Bank and authorization to donate days must be completed annually. Enrollment in the Sick Leave Bank does not guarantee that an employee will receive benefits from the Sick Leave Bank.

17.2 DONATED DAYS IRRETRIEVABLE / EFFECT ON RETIREMENT SERVICE CREDIT

Days donated to the Bank by any employee shall be irretrievable once donated. All days donated by an employee will be duly reported by the Board to the retirement system. Employees donating days will be advised by the bank's administrators that the donation of days may be counted as days of absence for retirement service credit purposes. Donated days will be made directly to the Sick Leave Bank and not directly to individual employees.

17.3 ELIGIBILITY TO DRAW FROM BANK

Only those employees who have exhausted all sick leave, and vacation leave and who are not being compensated for leave under worker's compensation or under some other leave provision of this agreement will be eligible to withdraw from the bank and only for one or more of the following reasons: (1) non-elective surgery and recovery from it, (2) catastrophic illness or disease such as cancer, heart disease or stroke, (3) injury induced by trauma which requires convalescence or treatment for a period greater than two calendar weeks, (4) illness or complications resulting from pregnancy which will incapacitate the employee beyond the normal period allotted for maternity leave. Addictions or the abuse of drugs, alcohol, or other prohibited substances will not be covered under the Sick Leave Bank Policy.

The application for withdrawal of days must be accompanied by a physician's certification of the nature of the illness or reason why the employee is unable to work and a prognosis of how long the employee will remain incapacitated. The documentation from the physician must include an original signature and not a stamp or facsimile. The illness or recovery from it must be projected to last longer than 14 calendar days. The Sick Leave Bank may only be used for contributor's own personal catastrophic illness and/or illnesses for a member of the employee's immediate family, to include only children, spouse, or parents.

17.4 APPLICATION PROCESS

Applications for the withdrawal of sick days shall be presented on a form available in the personnel office to the Sick Leave Bank Administrators. Each request for withdrawal of benefits will be evaluated, and a decision made to grant or deny the application shall be based on the specifics of the request. The decision of the administrators is final and binding and not subject to the grievance and arbitration procedure.

17.5 LIMITATION OF WITHDRAWALS

Participants eligible to withdraw from the sick leave bank shall not be permitted to withdraw more than 180 days during their work career and not more than 30 days during any school year. The parties understand that the purpose of the Sick Leave Bank is to assist eligible employees on a short term disability basis and that the Sick leave Bank is not formulated as a long term disability plan. Sick Leave Bank days withdrawn shall be granted within the period of one school year. Sick Leave Bank days not used in any one school year (July 1 – June 30) will be carried over to the Bank for use the next school year until a cap of 300 days is reached. If the cap is reached, members for that same year will become automatic members for the next school year without having to make the required contribution. Only new members to the bank will be required to make the 2 day contribution following year. The process will be reviewed each June by Bank Administrators to determine if capping is necessary and to whom automatic membership for the coming year, if any, should be granted.

17.6 GOVERNING ADMINISTRATORS

The Sick Leave Bank will be administered by six Committee members: 3 administrators appointed by the Superintendent and 3 bargaining unit members appointed by the Association. Because the Board remains the legal authority for the Bank, it will be responsible for oversight of the bank and adhering to any and all ERISA requirements as well as federal and state laws applicable to the Bank and its administration. Therefore, the Board reserves the right to override any decision of the Bank's Administrators which may not be in compliance with applicable federal and state laws.

The Administrators shall be responsible for fairly and equitably operating the Bank and deciding all applications for withdrawal. In performing their responsibilities, the Administrators shall adopt rules of procedure and appropriate application forms. They shall keep records of applications, decisions on applications, medical certificates and medical reports on applicants. They shall fully cooperate with the Personnel Office and provide any information on an applicant which the Personnel Office may request. Copies of all approved withdrawals shall be immediately transmitted by the Administrators both to the Personnel Office and the Finance Office.