

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(REGULATION)

PURPOSE OF SICK
LEAVE BANK

Bastrop ISD established a sick leave bank in the 2015-2016 school year to alleviate some of the hardship caused to an employee and the employee's family when a catastrophic illness or injury forces the employee to exhaust all leave and lose compensation. The sick leave bank enables employees to give or receive critical care to family members or themselves, with the intent of relieving anxiety of the possibility of a sudden loss of income, while being confronted by severe illness or injury. The sick leave bank cannot be used for bereavement.)

ELIGIBILITY AND
ENROLLMENT

Participation in the sick leave bank is available on a voluntary basis for all employees who work at least 20 hours per week, receive leave, and are eligible for BSD insurance benefits. Employees may join during the open enrollment period at the beginning of each school year. Only employees who contribute and join are eligible to use the sick leave bank. An employee may request days from the sick leave bank for the following family members:

1. Employee
2. Parent of employee
3. Spouse of employee
4. Son, stepson, daughter, or stepdaughter of employee
5. Child for whom the employee is legal guardian.

Membership requires a contribution of one local leave day, per year. An employee's "day" is equivalent to the number of hours in that employee's typical day. Any leave days contributed remain in the bank and will not return to the employee, even upon cancellation of the membership.

Eligible employees wishing to join the sick leave bank must complete the Enrollment/Cancellation Memorandum, distributed at the beginning of each school year during open enrollment.

The District will deduct a local leave day from the employee's local leave balance.

After joining, membership in the sick leave bank carries forward from one year to the next without the employee needing to submit a new application. Human resources will automatically deduct the leave day required for continued membership during the open enrollment period, unless and until the employee chooses to cancel membership. (See Requirements and Limitations.) Employees will receive a reminder of this automatic deduction in the annual sick leave bank memorandum during open enrollment.

The open enrollment will coincide with the District's annual insurance open enrollment period. For employees hired after the open enrollment period, employees may enroll within 31 days of starting employment. Employees who do not join the sick leave bank during open enrollment period are ineligible to join until the next school year's open enrollment period.

QUALIFYING TO
WITHDRAW LEAVE

For the purposes of the sick leave bank, a catastrophic injury or illness is defined as a condition or combination of conditions that meets the following criteria:

1. Life-threatening; and/or
2. Requires 5 or more days of hospitalization or major medical treatment such as surgery, chemotherapy, radiation and the like; and
3. Has totally incapacitated the individual from work; and
4. Requires the services of an M.D. or D.O. throughout the period of the catastrophic leave, as certified by a medical professional.
5. The condition of pregnancy shall not be covered by sick leave bank. However, medical complications that arise from childbirth shall be considered.
6. Routine illnesses and general surgeries do not qualify as catastrophic, in general.
7. Worker's Compensation injury will not be covered by the Sick Leave Bank.

COMMITTEE
MEMBERSHIP

Six district employees/members will serve on the sick leave bank committee to evaluate all request of days from sick leave bank. They will meet on a bi-monthly basis to review requests for days. The committee membership is comprised of the benefits manager, executive director of human resources, two district registered nurses, and a member of the finance/payroll department, and a member of the human resources department..

REQUESTING LEAVE

A member who requests days from the sick leave bank must submit to the sick leave bank administrator prior to an extended medical leave or within 30 days after returning to duty. The employee may access the forms for requesting days from the human resources website.

1. Completion of the attending physician's statement which includes:

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- a. Identification of the nature of illness and/or extent of injury.
 - b. Date of initial onset of this particular condition.
2. Anticipated date eligible to return to work on a full or part-time basis.
 3. The sick leave bank committee may refuse to consider an application that does not contain the required information. If a member is critically ill and unable to file an application for sick leave bank benefits, the school principal, immediate supervisor, or department head may initiate the application form at the request of the family.
 4. The sick leave bank committee will review and evaluate all sick leave bank benefits. If, after a review of the medical records, the diagnosis qualifies as catastrophic, the sick leave bank committee will award a set number of days to the employee. The sick leave bank committee may consult with a doctor retained by the school district to review all medical documentation.

REQUIREMENTS AND
LIMITATIONS

Benefits from the sick leave bank will be available only after the member has exhausted all accumulated state and local leave days and any accumulated compensatory time.

Employees who receive vacation days must also exhaust all those days.

Sick leave bank leave days are granted only for absences from working and will not be granted for holidays, vacation days, or other such days for which the employee is not paid.

If a sick leave bank member does not use all of the days granted from the sick leave bank, the unused days will be returned to the District.

When an employee is eligible for Workers' Compensation or has a disability plan, the District will balance the sick leave bank payment with the benefit.

In no case will sick leave bank benefits cause an employee to receive more than his/her expected salary.

An employee is ineligible for sick leave bank membership if they have received sick leave bank benefits five of the last eight years.

An employee should request a sick leave bank benefit in advance when the employee can anticipate the need. This will help avoid

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temporary loss of wages. A request for benefits from the sick leave bank can be submitted as early as five days in advance of the exhaustion of all accrued paid entitlement (state and local leave, compensatory, vacation, as applicable).

If the sick leave bank days drop to 30 available days or less, the District will solicit employees to voluntarily contribute leave days. Any one employee may donate no more than one day per solicitation. If the sick leave bank reaches a balance of zero available days, the sick leave bank will close until the next open enrollment period.

A sick leave bank member may also request benefits on a reimbursement basis. All requests for reimbursements shall be made no later than 30 days after a member returns to work or within 90 days of the member's use of his/her last leave day for this catastrophic condition.

Each qualifying employee may receive a lifetime maximum of 50 extended leave days. Based on years of service with the District as of the first date of leave, the following schedule shows the number of extended leave days available to an employee:

<u>Years of Service with the District</u>	Maximum Days per School Year
1–5	10 days
6–10	15 days
11–15	20 days
16–20	25 days
21 or more	30 days

APPEAL PROCEDURE An employee may appeal the sick leave bank committee's decision within 10 working days of the notification of the decision. The employee must supply new, additional medical records for the appeal.

CANCELATION/LOSS OF MEMBERSHIP An employee will lose the right to use the benefits of the sick leave bank by:

1. Termination or suspension of employment in the District,
2. Abuse or misuse of the sick leave bank privileges , and/or
3. Cancellation of membership by the employee during open enrollment.

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USE OF STATE
PERSONAL LEAVE

Nondiscretionary use of state personal leave refers to leave used for personal or family illness, family emergency, or death in the immediate family.

Discretionary use of state personal leave refers to leave taken at the individual employee's discretion, for which it is possible to set a schedule in advance.

Discretionary use of state personal leave requires the prior approval of the employee's immediate supervisor. A request for discretionary use of state personal leave must be given to the immediate supervisor at least three workdays prior to the beginning of the requested leave. Employees will not be required to submit the reason for which they are requesting personal leave. In emergency situations, the supervisor may waive the three-day notice requirement but may require documentation to support the failure to meet the requirement.

RESTRICTIONS

The following days are unavailable for discretionary use of leave:

1. Scheduled staff preparation days;
2. Professional development/early release days;
3. The first five and last five days of any semester;
4. The day immediately preceding or following District holidays; and
5. Days scheduled for state-mandated testing.

Additionally, campus supervisors may deny all requests for discretionary use of state personal leave for certified employees in excess of five percent of campus staff on any one school day.