

St. Maries Joint School District No. 41 Sick Leave Bank for classified personnel is controlled by the following philosophy and regulations:

### **PURPOSE**

The purpose of the Sick Leave Bank is to provide classified personnel who qualify by membership in the Bank with additional sick leave days needed to recover from personal illnesses which cause absence from work and loss of all but three (3) accumulated personal sick leave days. The Bank shall not be used as a reserve for time lost due to short-term illnesses which would normally be covered by the employee's accumulated sick leave, or pre-existing illness or condition prior to membership, nor for the time lost due to illness in the family, bereavement, or for purposes other than personal illness.

### **ADMINISTRATION**

The Sick Leave Bank shall be administered by the Sick Leave Council in conformance with the regulations set forth in this Policy. The Sick Leave Council shall be composed of two (2) administrators and two (2) representatives from the classified personnel. In the event of a tie vote by the Sick Leave Council, the Superintendent shall cast the deciding vote.

### **ELIGIBILITY FOR MEMBERSHIP**

Membership in the Sick Leave Bank shall be extended to any classified personnel member of the District working twenty (20) or more hours per week and who has been employed for one (1) calendar year or more. The employee must have accumulated one (1) but not more than eighty-nine (89) days of personal sick leave (as defined by Idaho Code Sections 33-1216 and 33-1217). An employee who has accumulated ninety (90) days of personal sick leave shall be eligible for membership after use of personal sick leave has reduced the employee's accumulated total to eighty-nine (89) days or less.

### **ENROLLMENT**

Employees who donate one (1) day of accumulated sick leave to the Sick Leave Bank within thirty (30) calendar days after the commencement of eligibility shall be members of the Bank and eligible for its service.

### **DONATION**

Donations to the Sick Leave Bank shall conform to the following regulations:

1. The staff member must donate one (1) day of personal sick leave to the Bank during the enrollment period (September of each year) to become a member, and one (1) day whenever assessed by the Sick Leave Council to continue membership.

Assessment will be on an equal basis as determined by the Sick Leave Council, not to exceed one (1) day per school year.

2. Days donated to the Bank shall be non-returnable to the donor as accumulated sick leave in the event of loss of Bank membership or separation or transfer from the District.

**MAXIMUM CAPACITY**

The Sick Leave Bank shall accumulate unused Sick Leave Bank days from year to year to a maximum capacity which shall not exceed one hundred ninety (190) days.

**MAXIMUM WITHDRAWAL**

The maximum number of days available for withdrawal by any one individual per school year shall not exceed forty-five (45) days.

**EMPLOYEE USE OF THE SICK LEAVE BANK**

Members of the Sick Leave Bank shall conform to the following regulations when requesting use of Sick Leave Bank days:

1. A Sick Leave Bank Member is not eligible to apply for use of the Sick Leave Bank until he or she has missed at least five (5) consecutive working days without pay. The employee, or the employee's supervisor, when the employee is physically incapable, shall secure written evidence from the District Office that the employee has no more than three (3) days of accumulated sick leave, and/or vacation time remaining or a combination thereof. Remaining days shall go to Sick Leave Bank at the end of the school year. No sick leave days will be carried over into the next school year by any member who has drawn from the Sick Leave Bank.
2. The employee, or the employee's supervisor, when the employee is physically incapable, shall secure written proof of illness adequate to protect the District against malingering and false claims of illness as provided by Idaho Code Sections 33-1216 and 33-1218.
3. The employee, or the employee's supervisor, when the employee is physically incapable, shall secure written notification from the employee's doctor of the employee's back-to-work date. If return to work is on a half-day basis, the doctor must so specify on the back-to-work notification. If prolonged illness requires subsequent related periodic visits to the doctor or medical facility during school time, the doctor must so specify. Such specified days shall be covered by the Sick Leave Bank provided the maximum number of days drawn does not exceed forty-five (45) days.

4. The employee's supervisor shall forward the above necessary documents to the Sick Leave Council in writing within three (3) days of receipt of Items 1, 2, and 3, above.
5. The Sick Leave Council shall give full consideration to the supervisor's recommendation and to accompanying statements and shall make final approval or disapproval of the request in full or in part in writing and shall report such action to the employee within three (3) days of receipt of Items 1, 2, and 3 above.
6. In the event the Superintendent must cast a tie breaking vote, he or she shall notify the employee of his or her decision within three (3) days.
7. The employee will be informed of the maximum number of days approved, not to exceed forty-five (45) days.
8. Each unrelated prolonged illness must be preceded by five (5) days of-unpaid leave before the same employee is eligible to draw on the Sick Leave Bank again in the same school year. Total days drawn cannot exceed forty-five (45) days per school year.
9. In the event of recurring long-term illness, it shall not be required that the employee take an additional five (5) days of unpaid leave before receiving additional days from the Sick Leave Bank. Total days drawn cannot exceed forty-five (45) days per school year.

**Policy Cross Reference:**

**Legal Reference:**

**Policy History:**

Adopted:	08/19/1993
Reviewed:	12/04/2008
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