

SCHOOL BOARD OF BREVARD COUNTY, FLORIDA

SICK LEAVE BANK GUIDELINES/PROCEDURES

I. PURPOSE

The purpose of the sick bank shall be to make available a source from which qualifying employees may be granted additional sick days for his/her personal inpatient and outpatient surgery, emergency medical or psychological treatment with admission to a medical facility, or treatment of a life-threatening or debilitating illness that necessitates absence from work. "Debilitating" in this context means an illness or injury which results in either temporary or permanent total disability to perform one or more normal activities of daily living.

An eight (8) member sick leave bank committee shall be appointed by the Superintendent. The Brevard Federation of Teachers (BFT) and the International Brotherhood of Painters and Allied Trades, Local 1010 (Local 1010) shall be invited to submit the names of two (2) bargaining unit members who shall be appointed to the committee. The Superintendent shall select the remaining four (4) members provided that two (2) of the Superintendent's selectees shall be nonbargaining unit classified employees and two (2) shall be nonbargaining unit managerial employees. The committee shall serve as the final authority for all matters pertaining to the approval or disapproval of an employee's request to seek use of the sick leave bank. Decisions and actions of the committee shall not be subject to any grievance procedure. An employee who wishes to request the committee to review its decision may submit such request in writing to the committee within fourteen (14) calendar days following the employee's notification of such decision. Such written request shall set forth the employee's reasons why such decision should be altered. A decision, if reviewed, shall not be reviewed a second time.

II. MEMBERSHIP

- A. Membership shall become available to a full time employee only after he/she has completed at least one (1) full, current and continuous year of employment as an employee of the district. For purposes of this program only, a *full time employee* is defined as *one who is employed in a regularly established position and working the hours per day specified for that position.*
- B. Membership shall be voluntary.
- C. Each participating employee shall initially contribute the number of hours equal to one (1) day from his/her accrued sick leave balance provided that such balance before the deduction of the one (1) day contribution shall be no less than eight (8) days.
- D. Such initial contribution shall only be allowed for the first calendar month of each school year.
- E. Hours contributed to the bank shall not be returned to the contributing employee's sick leave balance except as otherwise provided herein.
- F. Written application for membership shall be properly submitted on the completed form provided for such purpose and received in the designated office during the thirty (30) calendar days as provided in paragraph "D" above.
- G. Approval or disapproval of membership application and/or applications for use of the bank shall not be subject to any grievance process.
- H. An employee who applies to be a member will receive written notification of membership approval or denial.

- I. If a current sick leave bank member becomes a participant in the DROP program he/she may continue to participate in the sick leave bank. However, new membership will not be granted to a non sick leave bank member who is already a participant in the DROP program.

III. USAGE

- A. New members with *pre-existing conditions* shall not be eligible to receive days from the sick leave bank for these pre-existing conditions for one (1) year following the date of membership in the sick leave bank.
- B. Written application for utilizing the sick leave bank shall be submitted, no later than 14 calendar days prior to the use of sick bank utilization, on the required form provided for that purpose. In the case of an unforeseen emergency, the sick leave bank application must be submitted within 14 calendar days of sick bank utilization.
- C. Each application shall be accompanied by a statement from a licensed Florida medical doctor stating the nature of the illness as well as the anticipated beginning and ending date of the employee's absence. The committee shall have the right to require another medical opinion at the employee's expense.
- D. Eligibility for bank usage shall only be established after an employee has exhausted his/her accumulated sick leave and compensatory time and his/her illness or injury has caused him/her to be absent an additional five (5) days without pay. In lieu of five (5) unpaid days, the employee may use up to five (5) days of paid vacation if he/she is eligible for vacation and has accrued vacation time available.
- E. A member wishing to utilize sick leave bank will be required to add the number of personal charged to sick days taken in the current fiscal year to the five (5) days unpaid already required.
- F. If the member has participated in the year-end sick leave buy back, days equal to the number of days withdrawn through that buy back process will be added to the five (5) workdays without pay currently required before payment from the sick leave bank can begin. (*Effective July 1, 1995*). The maximum number of days for sick leave buy-back is ten (10).

For example: if an employee buys back ten sick leave days at the end of the year, that employee would be in an unpaid status for fifteen days before the Sick Leave Bank benefits could begin. Ten (10) days bought back + five (5) workdays without pay = fifteen (15) days in an unpaid status. If the employee bought back two (2) sick leave days, they would be eligible for Sick Leave Bank after seven (7) days in an unpaid status.
- G. An employee who is receiving ongoing, medically necessary treatments will be allowed to use forty (40) workdays without those days being consecutive after the five (5) unpaid sick days have been satisfied and they provide doctor statements and leave forms to cover the time used for such treatments.
- H. Pregnancy is not eligible for consideration unless a pregnancy related condition develops that would qualify under the normal sick leave bank guidelines.
- I. An employee is not eligible for use of the bank if receiving worker's compensation or on any approved paid leave.
- J. Bank usage shall be limited to forty (40) days per member per school year and is limited to regularly scheduled work time. Additional work time, such as summer hours, is not an acceptable use of sick leave bank hours.
- K. In order to be eligible for sick leave bank benefits an employee must have been in an actively working paid status one day more than one-half of the current or prior school year.

IV. ACTIVATION OF BANK

The sick leave bank shall only become operative upon the accumulation of four thousand (4,000) hours of contributed sick leave as provided herein.

V. TERMINATION

Termination of employment for any reason shall constitute withdrawal from the bank.

VI. MAINTENANCE AND REPLENISHMENT

The number of hours in the bank shall be maintained at thirty-two hundred (3,200). Should the number of hours in the bank fall below thirty-two hundred (3,200), each existing member shall automatically be assessed the number of hours equal to one (1) day of his/her accumulated sick leave to be added to the bank balance. Such assessment shall be accomplished as soon as procedures reasonably permit. In the event an employee's accrued sick leave balance is insufficient to allow for such automatic replenishment, such employee shall be allowed a grace period of no more than sixty (60) school days during which time he/she must accrue the sick leave necessary to meet his/her replenishment obligation.

Failure of an employee to comply with the replenishment provision as provided herein shall cause automatic cancellation of his/her bank membership. Notification will be sent to the member when such membership is canceled.

VII. MISUSE

An employee found to be guilty of misuse of the bank shall be required to repay all sick leave drawn from the bank, have his/her membership withdrawn, be prohibited from future membership, and be subject to disciplinary action as deemed appropriate by the Board.

VIII. WITHDRAWAL

- A. A participating employee who chooses to withdraw from participation in the bank shall not be allowed to withdraw any sick leave days that he/she has contributed to the bank.
- B. Written notification of withdrawal from the sick leave bank shall be sent to the Payroll Department.

IX. RECORDS AND REPORTS

- A. A database will be established and maintained for the use of the Sick Leave Bank Committee.
- B. An annual report will be developed and made available at each work site. The report will show the total use and remaining balance in the Sick Leave Bank. Information on individual usage will not be included in this report.
- C. A monthly report will be produced for use by the Sick Leave Bank Committee.

X. DISSOLUTION OF BANK

In the event it becomes necessary to dissolve the sick leave bank, the hours remaining in the bank shall be distributed equally to the accumulated sick leave balance of each of the then current members.