

**Carroll County Public Schools
Professional Employees'
Sick Leave Bank**

**Carroll County Public Schools
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STATEMENT OF INTENT

The purpose of the Sick Leave Bank is to provide paid sick leave to members of the Bank in cases of incapacitating personal illness. Sick Leave Bank grants may only be used after all accumulated leave has been used. The definition of sick leave shall be: leave that is granted to a member who through personal illness, injury, or quarantine is unable to perform the duties of his/her position. This does not cover cosmetic or elective surgery.

The existence of the Sick Leave Bank and participation by a unit member in the Bank does not negate or eliminate any other sick leave policies of Carroll County Public Schools, nor does it in any way negate the rights of individual unit members who participate in the Bank to other sick leave benefits.

The Sick Leave Bank may only be used for the contributor's own personal illness; it may not be used for illness of other members of the contributor's family, or by the contributor to remain away from his/her position in order to assist a member of his/her family who is ill.

All employees of the Carroll County Public Schools who earn sick leave are eligible to participate in the Sick Leave Bank. Participation is voluntary, but requires contributions to the Bank. Only contributors will be permitted to use the Bank for payment for qualifying incapacitating personal illness occurring on regularly scheduled duty days.

It is the philosophy of the Sick Leave Bank to encourage employees to return to work as soon as the doctor approves and releases the employee to do so. Individuals who have been on a grant of at least 20 days, and whose doctor indicates they may return to work half time, may continue to receive approved grant days (half-time).

An employee shall be required to seek accommodations in order to return to work on a full or part time basis at the earliest possible date provided the accommodation requested is a reasonable accommodation as determined by the Carroll County Public Schools.

Changes for July 2017

- Employees returning from leave of absence contribute only one (1) day to rejoin the bank (rather than two (2) days).
- Grants are no longer given only in 20 day increments.
- Employees using the bank who enrolled during open enrollment (not on their hire date), must wait 30 duty days to apply to use the bank (reduced from 90 duty days).
- The waiting period may be met with accumulated days absent within the same fiscal year (not within the 40 duty days prior to the grant request).

POLICIES

1. No employee shall be considered eligible for compensation through the Sick Leave Bank unless such employee was on duty or authorized absence including vacation, holiday, or personal days on the duty day preceding the commencement of the disabling illness.
2. All new members or reentering members (except those returning from leave of absence), shall contribute two (2) sick leave days. Members who participated in the Sick Leave Bank in the immediate previous year or returning from a leave of absence shall contribute one (1) sick leave day.

Annual rate of contribution for future years shall be determined by the Rules Committee and announced prior to July 1 of each year.

The open enrollment period will be September 1 through September 30 of any given year.

- Eligible employees who do not elect to join the Sick Leave Bank at the time all benefits forms are submitted each year, will not be permitted to join the Bank until the subsequent annual open enrollment period.
 - Employees hired after the open enrollment period may contribute to the Sick Leave Bank and become an eligible member if that enrollment takes place within 30 days of hire.
 - The following employees will have to wait a period of 30 duty days without eligibility for benefits after which the normal 20 duty day waiting period will subsequently apply.
 - employees who do not enroll in the Bank at the first available opportunity,
 - employees who do not maintain continuous enrollment in the Bank,
3. The maximum number of Sick Leave Bank days that can be granted in any one fiscal year will be the remaining number of duty days an employee is scheduled to work. In no case will the granting of leave from the Bank cause an employee to receive more than his/her annual base salary.

The maximum number of Sick Leave Bank days that may be granted in a given fiscal year is limited to 60 days.

In no event will a member receive more than a lifetime total of 360 days of Bank leave while employed by Carroll County Public Schools.

4. If an employee does not use all of the days granted from the Bank, the unused Sick Leave Bank days will be returned to the Bank.
5. A member of the Sick Leave Bank will lose the right to use the benefits of the Sick Leave Bank by:
 - Termination of employment with the Carroll County Public Schools. This becomes effective as of the last day of employment.

- Employment with an employer other than Carroll County Public Schools. Approval of a Sick Leave Bank grant is automatically and immediately rescinded should an employee hold any employment with any other employer during the period of time for which the employee is seeking Sick Leave Bank benefits unless waived by the Approval Committee.
- Suspension without pay or any illness occurring during the period of suspension. In the event that the suspension is overturned, Sick Leave Bank benefits will be retroactively reinstated.
- A member's voluntary cancellation of his/her membership in the Sick Leave Bank as of the effective date of the cancellation.
- Any abuse or misuse of the rules of the Sick Leave Bank.
- While on approved leave of absence.

Bank grants shall not be authorized for illness or disability for which the member is eligible for any disability retirement payment or workers compensation benefits. Employees disabled with work related illnesses or injuries must file a claim with workers compensation before applying to the Sick Leave Bank. Should workers compensation be granted for any period of time the employee received Sick Leave Bank grants, then the Bank shall be credited accordingly.

6. At the end of each fiscal year, any remaining sick days in the Bank will be accrued into the new fiscal year.
7. If the Sick Leave Bank is terminated for any reason, accumulated days in the Sick Leave Bank will be disbursed in a manner agreed upon by the Rules Committee and pending approval by the bargaining units and by official vote of the Board of Education.
8. Should the Sick Leave Bank be exhausted by grants, no further Sick Leave Bank grants shall be made until the Sick Leave Bank has restored sufficient days to operate, as determined by the Sick Leave Bank Approval Committee.

RULES & APPROVAL COMMITTEES

All voting members of the Rules, Approval, and Appeal Committees must be members of the appropriate Sick Leave Bank.

Rules Committee -The purpose of this Committee will be to develop criteria for eligibility including but not limited to who receives benefits, use of personal sick leave, long-term disability, and other benefits as well as rules and procedures for contributions of sick leave days, carry-over of sick days, and all other related issues. The rules and procedures established by the Rules Committee must be reviewed and approved by the bargaining units and by official vote of the Board of Education prior to implementation.

Rules Committee members shall be designated by the respective groups.

Review/Approval Committee - Individual grant requests of employees will be reviewed by members of this Committee. Approval will be granted by this Committee based on the criteria established by the Rules Committee. As of July 1 of each year the President of each bargaining unit and the Superintendent of Schools shall appoint member(s) to serve on the Review/Approval Committee as follows:

Professional Approval Committee

- 2 CCEA
- 1 A & S
- 1 ATSP/ELT
- 1 non-voting member from the Dept. of Human Resources

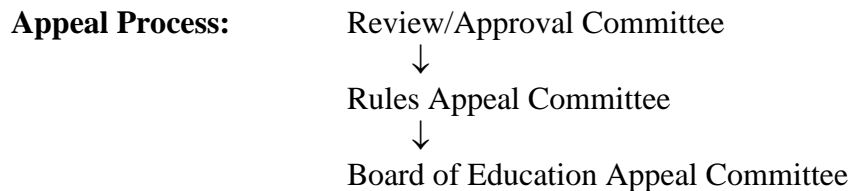
An alternate member may be assigned by each respective group to serve when the appointed member is unable to attend a meeting.

Rules Appeal Committee - When a dispute exists between the applicant and the decision of the Review/Approval Committee, the applicant may appeal the decision to the Rules Appeal Committee. As of July 1 of each year, the President of each bargaining unit and the Superintendent of Schools shall appoint one member to serve on the Rules Appeal Committee. Appeals of the decisions of the Sick Leave Bank Approval Committee must be made in writing within 45 calendar days of the date of the letter denying the grant.

Professional Appeal Committee

- 1 CCEA
- 1 A & S
- 1 ATSP/ELT
- 1 non-voting member from the Dept. of Human Resources

Board of Education Appeal Committee - The elected members of the Board of Education will make final decisions when a dispute exists between the applicant and the decisions of the Review/Approval and the Rules Appeal Committees.



Appeals of the decisions of the Sick Leave Bank Appeal Committee must be made in writing within 45 calendar days of the date of the letter denying the appeal.

MANAGEMENT

All forms for application for participation in the Bank, withdrawal of sick leave days, and cancellation shall be available at the Carroll County Public Schools' Department of Human Resources and at the bargaining unit office and shall be sent to any employee at his/her request.

All Sick Leave Bank request forms will be forwarded to the Carroll County Public Schools Department of Human Resources.

The Department of Human Resources will receive and review the decision of the Approval Committee. The Department of Human Resources will process these Bank grants to be paid by the Carroll County Public Schools to the member and shall forward the Bank grants to the Payroll Department for payment.

PROCEDURES

Contributions - Contributions for 10 month and 11 month employees shall be made by October 1. Contributions for 12 month employees shall be made by July 31. New employees and non-member employees returning to work, who wish to participate, will make their contribution within 30 days of the date of hire or return when other benefit options are selected.

Only sick leave may be contributed to the Bank; annual and personal leave may not be contributed. Members of the Bank must use all accumulated sick leave, annual days, and personal leave before days may be granted by the Bank.

Transfer of sick leave days to the Sick Leave Bank shall be in proportion to FTE status.

After initial contribution, continued membership from year to year will be automatic unless member effects cancellation in writing at least 10 duty days prior to the new enrollment period.

Grant Requests - All requests to draw upon the Bank must be made upon an authorized Sick Leave Bank Request Form and submitted to the Approval Committee within 30 calendar days of the first date Bank usage is requested. All information must be provided or the form will be returned and no action will be taken until it is resubmitted with all required information.

For the first use of the Sick Leave Bank by a Bank member, a waiting period of 20 consecutive duty days will be required from the first missed duty day (as a result of the illness) until the first Sick Bank day may be taken.

Subsequent uses of the Sick Leave Bank will require a twenty (20) consecutive duty day waiting period from the first missed duty day (as a result of the disability).

When an individual is receiving regular ongoing medical treatment for a specific serious illness or condition, the Approval Committee may approve the accumulation of days absent for that illness or condition to meet the waiting period in that given fiscal year only.

The initial request to draw upon the Sick Leave Bank must be accompanied by the Sick Leave Bank Grant Request Form confirming the cause of illness or confinement and certifying existence of a disability to perform assigned duties. Dates of the intended leave must be specified. The

terms "*indefinite*" and "*unknown*" will not be accepted. The form must be personally signed by the physician. The Sick Leave Bank Committee will not honor any physician's statement unless it is on the official Sick Leave Bank Grant Request Form.

An applicant may be required to undergo a medical review by a physician of the Committee's choice at any time, at the member's expense. However, after an applicant has drawn and used 40 sick leave days from the Sick Leave Bank, he/she may be required to obtain a second opinion/medical review from a physician approved by the Sick Leave Bank Approval Committee, at the applicant's expense. The physician rendering the second opinion/medical review shall not be affiliated with the employee's physician who filled out the first Sick Leave Bank physician's statement form. The second opinion/medical review shall be sent directly to the Committee on the Sick Leave Bank Physician's Statement Form before the Committee may act upon the unit member's application for a grant from the Sick Leave Bank. (Such medical review requirement may be waived by the Committee.) Extension or renewal of each 20 day grant shall require a new Sick Leave Bank Physician's Statement.

Bank grants will not automatically be carried over from one Sick Leave Bank year to another. All Bank grants will end as of the last day of the Bank year and must be renewed through the Approval Committee each year.

When a contributor has been incapacitated and is physically unable to submit an application, his/her application may be submitted to the Committee by his/her agent or family.

Sick leave for severe anxiety, depression, and psychological disability may be granted when: (A) a problem is certified by a licensed mental health clinician; and (B) an applicant is enrolled in a rehabilitative program accepted by the Sick Leave Bank Approval Committee.

Grant Renewals - After an applicant has drawn and used a grant from the Bank, he/she shall be given a medical review by a physician. The physician's report is to be sent directly to the Committee before the Committee may act upon his/her application for an extension of the sick leave grant. The new application must be filed within the guidelines.

Applicants should submit requests for renewal of Bank Leave grants 10 work days before their prior grant expires to ensure, upon approval, uninterrupted Sick Leave Bank benefits. (Use the regular Sick Leave Bank Grant Request Form signed by the physician or attach a physician's note.) Requests received after the 10 day period may receive Sick Leave Bank benefits retroactively based on the decision of the Approval Committee.

Applications for renewal of grants will not be considered unless accompanied by a new statement completed by the employee and the physician or with an attached physician's note.

Cancellations - Sick leave properly authorized for contribution to the Bank will not be returned if the employee effects cancellation. Cancellation on the proper form may be effected at any time and the employee shall not be eligible to use the Bank as of the effective cancellation date.

Other Disability Income Sources - When the Approval Committee reasonably believes that an applicant for a grant or an extension of a grant may be eligible for benefits under a long term disability plan, disability retirement from the Maryland State Retirement Systems and/or Social Security, the Approval Committee will require the employee to apply for disability benefits.

Submission of the application for disability retirement, long term disability and/or Social Security benefits and the necessary supporting medical documents to the Department of Human Resources must be made within 45 calendar days from the date of the issuance of the request by the Approval Committee in order for the member to continue to be eligible for a Sick Leave Bank grant.

No payment for a Sick Leave Bank grant will extend beyond the date on which disability retirement or other disability benefits are approved to begin by the Medical Board of the Maryland State Retirement Systems, the long term disability carrier and/or the Social Security Administration. Any remaining days will be returned to the Sick Leave Bank.

When disability benefits are denied by the Retirement Systems, the long term disability carrier and/or the Social Security Administration, the Sick Leave Bank Approval Committee and the Carroll County Board of Education must be notified immediately by the member. A Sick Leave Bank recipient may lose his/her eligibility for a grant for each day the Sick Leave Bank Approval Committee is not notified after the Sick Leave Bank member has received his/her denial.

These rules are subject to revision by the Rules Committee.