

CCCTA SICK LEAVE BANK

STATEMENT OF INTENT

The purpose of the Sick Leave Bank is to provide sick leave to contributing unit members after the member's accumulated sick leave has been exhausted; and more specifically, to provide such leave in cases of **prolonged, catastrophic illness or injury**.

RULES OF PROCEDURE

For the purpose of administering the Sick Leave Bank, the definition of sick leave shall be:

Sick leave is a designated amount of compensated leave that is granted to a contributing unit member who through personal illness, injury or quarantine is unable to perform the duties of the member's position. Sick leave may also include other excused absences such as medical, & dental or optical treatment impossible to schedule on non-duty days.

1. All unit members are eligible to contribute to a sick leave bank. The purpose of the Sick Leave Bank is to provide continued pay benefits to contributing unit members of the bank for a **prolonged and catastrophic, incapacitating personal illness or injury** during regularly scheduled duty days after regular sick leave has been exhausted. **The incapacitating illness must be a prolonged, catastrophic and debilitating, physical or mental condition necessitating continuing treatment by a healthcare provider. Normal pregnancy and childbirth shall not be considered as eligible reasons for sick leave bank benefits. Cesarean deliveries will be eligible for a grant not to exceed ten (10) days.**
2. The contribution on the appropriate form will be authorized by the unit member and continued from year to year until cancelled in writing by the unit member. Sick leave authorized to the bank for contributions will not be returned if the member of the bank effects cancellation. Personal leave may not be contributed. Cancellation, on the proper form, may be effected at any time and the unit member shall not be eligible to use the bank as of the effective cancellation date.
3. **CONTRIBUTIONS CAN BE MADE BETWEEN JULY 1 AND OCTOBER 1.** Unit members returning from extended leave and new employees may contribute within the first thirty (30) calendar days after reassignment or employment. Unit members returning from extended sick leave will be permitted to contribute to the bank on approval of the committee.
4. The annual rate of contribution for full and part-time unit members shall be based upon the following schedule:
 - 0 to 49 days of accumulated sick leave - one (1) day
 - 50 to 99 days of accumulated sick leave - one-half (1/2) day
 - 100 or more days of accumulated sick leave - zero (0) daysAll members new to the Sick Leave Bank will contribute one (1) day of sick leave.
5. Unit members electing to join the Sick Leave Bank, when initially employed or upon return from an extended leave and making contributions within the first thirty (30) calendar days of employment, will be eligible for benefits immediately. Unit members electing to join the Sick Leave Bank thirty-one (31) or more days beyond the date of initial employment may enroll between July 1 and October 1 and will be eligible for benefits the following school year.
6. The maximum cumulative number of days that may be granted to any eligible member shall not exceed 190 duty days during one's employment lifetime by the Cecil County Public Schools. In no case will the granting of leave from the bank cause a member to receive more than his/her annual salary. The bank may not grant more days than its members have contributed. In compliance with Board Policy and the Family and Medical Leave Act, all draws from the CCCTA Sick Bank Leave will be applied toward the twelve (12) weeks of leave to which employees shall be entitled because of an employee's serious health condition.
7. Members must use all accumulated sick leave before applying for leave from the bank. Application for use of the bank shall be made on the required form and submitted to the committee. The first **five (5)** consecutive working days for a **qualifying illness or injury** occurring during the employee's work year must be covered by the employee's own available sick leave, personal leave or leave without pay before an employee qualifies for a grant from the bank.
8. A four-member committee, consisting of two members appointed by the President of the Association and two appointed by the Superintendent, shall have the responsibility of receiving requests, verifying the validity of requests, recommending approval or denial of requests, and communicating its recommendation to the Executive Director for Human Resources or designee. Any recommendation for approval of the request must have the support of at least 3 members of the committee in order to be forwarded to the Executive Director for Human Resources or designee. The committee shall develop its rules of procedure and shall give wide distribution to said rules upon approval of the President of the Association and the Superintendent.

9. The Executive Director for Human Resources or designee shall approve these bank grants and forward same to the Department of Business Services. Should the request be denied an appeal may be made to the Executive Director for HR within a two week period.
10. Bank grants will not be automatically carried over from one fiscal year to another. All bank grants will end as of the last scheduled duty day of the fiscal year in which they were authorized. A new application must be submitted for review by the committee for a succeeding fiscal year.
11. **Grant requests shall be made in units of no more than thirty (30) consecutive duty days for each initial or subsequent application.**
12. If a member of the bank does not use all of the days granted from the bank, the unused days will be returned to the bank.
13. The Sick Leave Bank Committee will review and recommend to the Executive Director for Human Resources or designee approval or denial of requests to draw upon the leave bank within 15 working days after such request is received in the Human Resources Office.
14. All forms concerning the leave bank are available from the Office of Human Resources and will be sent to an individual upon request.
15. All requests to draw upon the leave bank must be accompanied by the appropriate CCCTA Sick Leave Bank Physician's Statement, **signed by the appropriate physician specialist**, confirming the cause of illness or confinement and certifying the existence of a disability to perform assigned duties. The request must be submitted to the Executive Director for Human Resources or designee within thirty (30) calendar days of the first date bank usage is requested. (Exceptions may be approved in extreme and unusual cases.)
16. The bank may be used only by the individual member for the member's personal illness and may not be used for family illness.
17. Only earned sick leave may be contributed to the leave bank; personal or annual leave may not be contributed.
18. **Members may apply for a grant from the bank to cover emergency surgery. For all other surgery, applications must be submitted for consideration in advance. Cesarean deliveries will be eligible for a grant not to exceed ten (10) days.**
19. Sick leave days may not be granted from the bank for a disability which qualifies the member for Worker's Compensation benefits or for an illness or disability resulting from intentional self inflicted injury or act of war.
20. When the Sick Leave Bank Committee may reasonably presume that an applicant for a grant or an extension of a grant may be eligible for disability retirement benefits from the State Retirement and Pension System of Maryland and/or Social Security Administration, the committee may deny the request and suggest instead that the applicant apply for disability benefits. **A member may not use grants from the bank to postpone their application for disability retirement.**
21. **If the disability retirement is approved by the retirement system, the employee will be required to substitute all accumulated personal days for bank grant days. The equivalent number of bank granted days will be returned to the bank.**
22. If a disability retirement is denied by the retirement system, the Sick Leave Bank Committee may refer the member to a physician of its choice to obtain a prognosis as to whether the member will be able to return to his/her regular duties. If this report indicates that the member will not be able to resume his/her regular duties, the committee will require the member to appeal the ruling of the retirement system using the report of the physician as the basis of the appeal. If the physician indicates that the member is able to return to his/her regular duties, the member will no longer be eligible for a sick leave bank grant.
23. A member requesting days from the leave bank may be required to undergo a medical review by a physician of the Sick Leave Bank Committee's choice at any time and at the member's expense.
24. If a request to draw upon the bank is for other than consecutive days of illness, a separate request including a physician's statement on the required form must be submitted for each period of illness.
25. In the event an eligible member has been incapacitated, the member's application may be submitted to the Sick Leave Bank Committee by an agent of the member.
26. Members may submit requests for extension of bank leave grants before their prior grant expires.

27. **For the first thirty (30) days of absence per year and/or illness for which a grant have been made, the grant will provide one (1) day for each day of absence. Subsequent grants will require one (1) day leave without pay after every additional ten (10) days granted from the bank. When a member has been granted three (3) requests for days from the bank within one fiscal year the member will have three (3) unpaid days before receiving additional days from the bank. The Sick Leave Bank Committee may grant a waiver to this rule.**
28. Signed authorization forms will be maintained permanently as a record in the Department of Business Services. The Department of Business Services will certify, upon request from the Executive Director for Human Resources or designee, the total number of days available in the Sick Leave Bank.
29. The Sick Leave Bank register will be maintained in the Department of Business Services. The Sick Leave Bank register will include the name of each member and the deduction of sick leave contributed as of October 2 each fiscal year.
30. The Sick Leave Bank register will include a record of the number of days of sick leave granted each recipient and the date(s) of the grant(s).
31. The total number of accumulated sick leave days available at any time for any purpose including days counted as creditable service for retirement benefits will not include the number of days which the employee has contributed to the Sick Leave Bank.
32. A member shall lose the right to utilize the benefits of the Sick Leave Bank for the following reasons:
 - a. Termination or suspension of employment with the Cecil County Public Schools.
 - b. Cancellation of membership to the bank as of the effective date of cancellation.
 - c. Approved leave of absence.
 - d. Abuse or misuse of the Sick Leave Bank.
 - e. **Employment with another employer or self-employment.**