

UINTAH SCHOOL DISTRICT POLICY ACTION REVIEW

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| 1st Reading | 10/13/21 | | New | |
| 2nd Reading | 11/10/21 | | Revised | X |
| Approved | 11/10/21 | | Substitute | |

005.0631 SICK LEAVE BANK POLICY

1.0 BOARD POLICY

- 1.1 It is the policy of the Board to establish a sick leave bank for eligible employees to cover long term absences that have been recommended by a licensed medical provider who (1) is included on the employee's medical provider list or (2) to whom the employee has been referred by such a provider. Long term absences are defined as those which extend beyond the accumulated Paid Time Off (PTO) or vacation days of an employee.
- 1.2 The Board delegates to the Administration and the committee to be established as set forth hereunder the responsibility to administer the sick leave bank according to the guidelines established by Board policy.

2.0 SICK LEAVE BANK COMMITTEE

- 2.1 The sick leave bank shall be administered by a committee of ten employees appointed by the Superintendent.
- 2.2 The committee shall consist of the following members:
 - 2.2.1 Three classified employee members, including at least one member from the locally-recognized classified association; and three licensed educator members, including at least one member from the locally-recognized educator association.
 - 2.2.2 The School District Business Administrator or his/her designee;
 - 2.2.3 The School District Human Resource Director and Human Resource Secretary;
 - 2.2.4 One administrator, appointed by the Superintendent.
- 2.3 Members of the employee group shall serve three year terms and may be reappointed.
- 2.4 All committee members must be and remain employees in good standing in the District and may be removed for failure to faithfully discharge the responsibilities of their position.
- 2.5 The committee shall:
 - 2.5.1 Appoint a chairman;
 - 2.5.2 Review and rule on all requests for sick leave bank benefits;
 - 2.5.3 Adopt forms and rules and policies necessary for the administration of the sick leave bank consistent with this policy;
 - 2.5.4 Meet to approve all Sick Leave Bank requests;
 - 2.5.5 Administer the sick leave bank in a fair and non-discriminatory manner for the benefit of all sick leave bank members;

- 2.5.6 Maintain the viability and solvency of the sick leave bank and recommend to the School Board any needed changes in the School District policy relating to the sick leave bank;
- 2.5.7 Require health care provider reports/documentation as verification to prevent abuse of the sick leave bank.
- 2.5.8 Sign a confidentiality agreement.
- 2.6 The majority vote of the member of the Sick Leave Bank Committee is required to approve an application for benefits. Once benefits have been approved by the committee termination or revocation of those benefits may only occur upon the majority vote of the sick leave bank committee.
- 2.7 The decisions of the Sick Leave Bank Committee are final. Appeals may be made to the Committee if additional information becomes available.

3.0 ELIGIBILITY FOR MEMBERSHIP

- 3.1 Membership in the sick leave bank is open to all employees of Uintah School District who qualify for Paid Time Off (PTO) during the current term of their employment.
- 3.2 Eligible employees may join the sick leave bank by submitting a completed application for membership as follows:
 - 3.2.1 Any eligible employee who wishes to join must enroll by submitting an application annually. The deadline for enrollment is September 1. New employees hired after September 1 may join the Sick Leave Bank by submitting an application during the first 30 days after effective date of employment.
 - 3.2.2 Qualifying employees become members of the sick leave bank on the date their application is stamped received by the district. Membership in the sick leave bank shall continue so long as an employee is eligible unless terminated as set forth hereinafter.
 - 3.2.3 Contracted employees who wish to continue their membership in the sick leave bank from one year to the next are required to complete all applicable paperwork and donate one PTO day by September 1 of each year.

4.0 CONTRIBUTION TO SICK LEAVE BANK

- 4.1 For an eligible employee to become a member and maintain membership in the sick leave bank one of his or her accumulated Uintah School District Paid Time Off (PTO) days will be donated per year. At the end of each school year, the Sick Leave Bank days will be reduced to the lesser of 1000 days or the actual days remaining in Bank.
- 4.2 Donations to the sick leave bank are irrevocable and non-refundable.

5.0 PRE-EXISTING CONDITIONS

- 5.1 All health conditions existing prior to membership in the sick leave bank are not eligible for coverage or benefits from the sick leave bank until the beginning of the fourth consecutive year of sick leave bank membership.
- 5.2 Attending health care provider will determine if the condition was pre-existing.

6.0 ELIGIBILITY FOR BENEFITS

6.1 Days from the sick leave bank will be granted only after all accrued Paid Time Off (PTO) days, vacation days (if applicable), and comp time (if applicable) have been used by the member.

6.1.1 EXCEPTION: Employees who have more than 50 accrued Paid Time Off (PTO) days, upon application to sick leave bank, will be required to use only 25% of their accrued PTO days prior to qualifying for sick leave bank days.

6.2 For employees who have fewer than 5 days of leave available, up to 5 days' pay shall be deducted from the employee's paycheck prior to their receiving sick leave bank days.

6.2.1 EXCEPTIONS: Section 6.2 does not apply in the following situations:

6.2.1.1 An eligible employee in his/her first school year of employment shall have this requirement waived;

6.2.1.2 An eligible employee who has used PTO days during the current contract year will be granted a waiver from the dock-pay requirement for the number of days used, up to 5, that meet the following conditions:

- The PTO was used for his/her own medical reasons.

OR

- The PTO was used to assist an immediate family member who had medical needs,

The employee must provide sufficient documentation from a health care provider to the Sick Leave Bank committee to show that the above conditions were met;

6.2.2 An employee suffering from a chronic medical condition, as confirmed by a health care professional, must meet the 5-day dock/contribution/waiver requirement only once per school year for sick leave bank covered absences related to the same chronic condition.

6.3 For sick leave bank members who do not work year-round, absences due to elective surgeries will not be eligible for sick leave bank coverage, as these surgeries should be scheduled to take place during summer months.

7.0 AVAILABLE BENEFITS

7.1 Sick Leave Bank member applicants must submit complete Sick Leave Bank application packets, including all related forms, within 30 days of the first date of absence, in order to be eligible for consideration of sick leave bank days.

7.1.1 Sick Leave Bank days may be granted retroactive to 30 days prior to Sick Leave Bank application.

7.2 The maximum Sick Leave Bank benefit available for a qualified prolonged illness for contracted employees (in their first, second, or third consecutive year of district sick leave bank membership) is limited:

7.2.1 For contracted employee members in their first year of district sick leave bank membership - 20 days;

7.2.2 For contracted employee members in their second consecutive year of district sick leave bank membership - 40 days;

- 7.2.3 For contracted employee members in their third consecutive year of district sick leave bank membership - 60 days;
- 7.3 The maximum daily rate of pay benefit available for a qualified prolonged illness is 130 days or the number of days needed to qualify for Workman's Compensation or Long Term Disability, not to exceed 130 days. No sick leave bank days may be used if absence is paid by Workman's Compensation.
 - 7.3.1 A member having requested and having been granted 40 sick leave bank days, either at once or intermittently during a 12-work-weeks or 60-work-days period, will be required to apply for Long Term Disability prior to being awarded a 41st sick leave bank day.
 - 7.3.1.1 Once an employee applies for Long Term Disability, days 41 and beyond may be granted, not to exceed the maximum stated in section 7.3.
- 7.4 Half day benefits are allowed upon health care provider recommendation.
- 7.5 Benefits granted will not have to be repaid unless days are fraudulently obtained or granted in addition to Workman's Compensation or Long Term Disability.
- 7.6 The bank may be used by the contributor to remain away from his or her employment in order to assist the employee's spouse, child, parent, parents-in-law, brother, sister, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparents, grandparents-in-law, grandchildren, aunt, uncle, niece, nephew, cousin, or cohabitant who is ill or otherwise in need of assistance, for up to five (5) days per contract year.
 - 7.6.1 This benefit is in addition to those outlined in sections 8.1 and 8.2.
- 7.7 The sick leave bank may be used by the contributor for the purpose of adoption. At the time of actual custody of the child, members may utilize up to a maximum of 10 sick leave bank days.

8.0 APPLICATION FOR BENEFITS

- 8.1 Members of the sick leave bank may apply for benefits by completing and submitting an approved application for benefits. Members are encouraged to apply prior to using all accumulated sick leave.
- 8.2 The application along with a health care provider statement form and guidelines may be obtained at the district office or online at www.uintah.net.
- 8.3 No action may be taken by the sick leave bank committee until the applications is completed, authorization for release of information is signed, and all required information and verification is submitted to the committee.

9.0 MEDICAL EXAMINATION OR VERIFICATION

- 9.1 All statements contained in an application for benefits and all health care providers statements submitted to the Sick Leave Bank Committee are subject to verification by the sick leave bank committee.
- 9.2 The sick leave bank committee may require a member requesting or receiving benefits to submit to examination by a licensed health care provider of the district's choosing.
 - 9.2.1 Any costs incurred by the employee above and beyond the insurance coverage of the individual will be the responsibility of the school district.

- 9.2.2 If a sick leave bank applicant, in such a situation, refuses to undergo the examination by a licensed health care provider of the district's choosing, his/her request for sick leave bank days shall be denied.
- 9.3 During the time that a member is receiving benefits from the sick leave bank the Committee may require the member to submit updated medical and or psychiatric reports. Benefits may be suspended pending receipt of the requested information.
- 9.4 Employees receiving benefits must be under the continual care of a health care provider and or psychiatrist.
- 9.5 The committee may require the member to sign authorizations for release of information from any health care providers that have examined or treated the member for the illness or condition for which benefits are requested. Failure to execute the requested authorization may render the member in-eligible for benefits for that prolonged illness.
- 9.6 All medical information obtained by the committee shall remain confidential and shall not be disclosed outside of the committee except as is necessary in the administration of the policy (see Section 2.5.8).

10.0 FALSIFICATION OR FRAUDULENT RECEIPT OF BENEFITS

- 10.1 All information requested by the Sick Leave Bank Committee must be provided in a complete, accurate, and truthful manner.
- 10.2 Any falsification or material omission in the information provided to the committee, as part of an attempt to obtain benefits fraudulently, is grounds for denial or revocation of sick leave bank benefits and will render the employee ineligible for participation in the Sick leave Bank and subject him/her to discipline pursuant to District Policies.
- 10.3 Any benefits received by a member due to falsification or material omission must be repaid.