

# EMPLOYEE SICK LEAVE BANK

REGULATION  
DEC

Sick Leave Bank DEC (LOCAL)	The District shall administer a sick leave benefits bank for all DEC (LOCAL) eligible employees who wish to participate.
Purpose	The purpose of the sick leave bank is to provide additional sick leave days to members of the sick leave bank in the event of the extended absence for major physical disabilities due to unexpected, catastrophic illness or injury. Sick leave bank days are also available to the District employee if such conditions are experienced by his or her immediate family members.
Definitions	A catastrophic illness or injury usually occurs suddenly and without warning. Injuries or illnesses that are considered catastrophic, due to the enormous impact they have on the lives of individuals who experience them, require the services of a licensed medical practitioner for a prolonged period of time. Such events as a brain injury, a spinal cord injury, accidental amputation, severe burns, multiple fractures or neurological disorders are examples of injuries or illnesses described as catastrophic. Additionally, the long term needs of someone who has experienced a catastrophic injury far surpasses those of individuals with less severe illnesses or injuries. Some individuals may recover from catastrophic illnesses or injuries if they receive proper, early medical treatment while others experience significant suffering, reduction in their life span, and/or experience a permanent disability.
Catastrophic Illness	Therefore, normal pregnancies and deliveries, Caesarean deliveries without complications, and hysterectomies without extended hospital stays as well as routine/and or elective surgeries without complications are <i>not considered</i> to be a catastrophic illness or condition.  Further, a catastrophic illness or injury requires an extended absence from work for treatment or recovery wherein the absence extends 10 consecutive days or longer after the employee has exhausted all accumulated vacation, state, and local sick leave.
Employee	An employee is a full- time, benefit-eligible, employee of the District.
Immediate Family	Immediate family, for purposes of the sick leave bank only, is defined as spouse, child/children, and parent of the employee.
Member of Sick Leave Bank	A member of the bank is a full-time, benefit-eligible employee with local sick days available at the time of request and agrees in writing, to contribute one earned local sick leave day per year for three consecutive years.
Working Days	Working days are Monday through Friday, excluding holidays.
Leaves and Absences	Leaves and absences are defined by DEC (LEGAL).

Medical Doctor

A medical doctor is a physician licensed in the state of Texas.

Benefit Eligible

Benefit eligible means eligible for health insurance benefits.

Eligibility for Use of Days from the Bank

An employee who has joined the bank and has accrued a minimum of one day of local sick leave shall be eligible to request days from the bank provided:

1. All of the employee's available (accrued local sick leave days, vacation, and personal days) have been exhausted.
2. A waiting period of ten working days has passed.

An employee may use a maximum of 30 working days from the sick leave bank during a calendar year and a maximum of 60 working days during the employee's lifetime.

Membership Procedures

The employee must agree, in writing, to contribute one accrued local sick leave day per year for three consecutive years to be eligible to withdraw sick leave bank days. These donated days shall be subtracted from the employee's accrued local sick leave.

1. Donated sick leave days become the property of the District and shall not revert to the employee due to cancellation of membership and/or termination of employment.
2. If the total number of available sick leave bank days falls below 300 days, then the sick leave bank members may be required to contribute an additional day (no more than one per year to the bank after the third year).
3. If an employee cancels membership, the employee may reapply for membership after an additional year of full-time employment and must again contribute one day per year for three years.
4. An employee on an approved leave of absence (less than one year) shall retain membership in the bank and shall not be required to donate additional days. If the approved leave of absence exceeds one year, the employee shall be required to contribute additional days (no more than one per year) to retain membership. An employee shall not be required to have more than three days in the bank at any time unless the bank falls below 300 days.
5. Membership application form shall be completed and submitted to the Chief Human Resources Officer or designee. The Chief Human Resources Officer or designee shall convene The Sick Leave Bank Committee within 30 days of receipt of the application to determine eligibility. Employees or their designee will be informed of approval or ineligibility within two working days of the board members' review.
6. The membership open enrollment time periods shall be:
  - a. September 1 through October 15 of each year
  - b. January 1 through February 15 of each year

Exclusions

The following conditions are excluded:

1. Pre-existing condition diagnosis and/or treatment for the previous three months' period preceding the application for membership as required by the District health insurance medical plan document guidelines.
2. Normal pregnancy and/or post-natal care.
3. Mental disability diagnosis or treatment.
4. Elective or routine surgery.
5. Workers' Compensation eligibility for indemnity temporary/impairment income benefits.

## Request Procedures

To request days from the bank, an employee shall:

1. Complete a request form five days prior to the requested beginning date of receipt of bank days.
2. Obtain a statement from the attending licensed medical practitioner (medical doctor) that this condition is not a known pre-existing condition, diagnosis and/or treatment within the past three months.
3. Obtain a statement signed by a licensed medical practitioner (medical doctor as defined by the District medical plan) attesting to the fact that the condition necessitating the request for days from the bank was unknown to the employee, to the employee's family member, or a licensed medical practitioner at the time the employee became a member of the bank. Preexisting conditions and/or diagnosis are excluded for a period of three months.
4. Submit the completed statement from the attending licensed medical practitioner (defined as being certified by the board of medical examiners that includes:
  - a. Identification of the nature of the illness and/or extent of injury and anticipated days of full or partial disability necessary for recovery to return to work on a full or part-time basis.
  - b. Date of the initial onset of this particular condition and of diagnosis.
  - c. Anticipated date the employee is eligible to return to work on a full or part-time basis.
  - d. Confirmation from the human resources department that the employee has exhausted vacation days, state sick leave or personal days, and local sick leave days.

Forms for the above purposes are available in the Human Resources Department at 3911 Avenue I, Rosenberg, Texas.

The Sick Leave Bank Committee shall not consider an application until all the required information is provided.

If an employee is ill, incapacitated and/or unable to file an application, a family member or the employee's designee may initiate the procedure.

## Committee

The Sick Leave Bank Committee shall meet the following qualifications:

1. Members of the committee must be sick leave bank members.
2. Members of the committee volunteers and are not compensated in any way.
3. All members will serve for 2 years. In the event a committee member is not able to fulfill the complete term of his/her office, a successor shall be chosen from the campus and/or department to fill out the remainder of the term.
4. No member shall be allowed to serve more than six years during a lifetime.
5. The Sick Leave Bank Committee shall consist of volunteers and/or appointees from the following campuses or departments:
  - a. Secondary 2
  - b. Elementary 2
  - c. Support 2
  - d. Administration 2
6. The following positions will be included as part of The Sick Leave

Bank Committee, as non-voters.

- a. **Facilitator – Kathleen Bowen, Ed.D** - Chief Human Resources Officer
- b. **Medical Consultant** – Marsha Beck, Nurse Supervisor
- c. **Recorder – Trudy Harris** Director of Employee Svcs/Risk Mgmt.

#### Appeal Process

If an employee's application is denied, the employee or designee can appeal the committee by submitting a letter to The Sick Leave Bank Committee Facilitator no later than five working days from the date of denial requesting a hearing, in person, by The Sick Leave Bank Committee. Further appeal may be initiated by the employee or designee according to DGBA(LOCAL).