

CHAPTER 6.00 - PERSONNEL

SICK LEAVE BANK

6.911

(1) A. Membership.

An employee, having been employed by the Board for at least one year and having at least ten (10) days accrued sick leave as of date of application for membership, may enroll in the sick leave bank by voluntarily contributing a newly earned (eleventh) sick leave day to the bank prior to October 31, 1985, 1986, and 1987 respectively of any given school year. Each employee may not contribute more than one sick leave day except as hereafter provided. Sick leave days donated to the bank by employees will not be returned to employees except as hereafter provided.

(2) B. Duration and Replenishment.

(a) ~~The sick leave bank will remain in existence until June 30, 1988, or duly extended.~~

(b) 1. When the number of unused sick leave days in the bank is reduced to thirty percent (30%) of the number of members of the bank, the bank will be replenished in the following manner:

1. a. During the two (2) month period following the date when the bank reaches the thirty percent (30%) point, each member will have ~~one-half (1/2)~~ one (1) day deducted from his/her personal sick leave account and deposited to the bank.
2. b. A member who chooses to no longer participate in the bank shall notify the committee in writing of his/her withdrawal and will not be able to withdraw any sick leave already contributed to the bank.
3. c. A member who chooses to continue participating in the bank will contribute ~~one-half (1/2)~~ one (1) day of accrued sick leave to the bank.
4. d. A member drawing from the bank or in the twenty (20) days waiting period, as hereafter provided, at the time the bank reaches the thirty percent (30%) point, may choose to continue participating in the bank by contributing the next

CHAPTER 6.00 – PERSONNEL

~~one-half (1/2)~~ one (1) day of accrued sick leave to the bank, regardless of whether or not it is earned within the two (2) month period set forth in subsection B 1(a). above.

~~(3)~~ C. Administration.

- ~~(a)~~ 1. The sick leave bank will be administered by the ~~Personnel Department~~ Human Resources Office. Forms may be obtained by participating employees from the ~~Personnel office~~ Human Resources Office.
- ~~(b)~~ 2. An overview committee will be formed to review the administration of the bank and determine eligibility ~~as set forth in 4(b)~~.
- ~~(c)~~ 3. The committee will be composed of two (2) voting representatives appointed by the Superintendent, two (2) voting representatives appointed by the Union, and one (1) ex officio representative appointed by the Superintendent. This person shall act as chairperson of the committee.

~~(4)~~ D. Benefits.

- ~~(a)~~ 1. In the event a member of the bank suffers a catastrophic illness, accident, or injury (i.e., one causing the member to be unable to work for a prolonged period of time) for which they are not receiving Worker's Compensation benefit, he or she may apply for the benefits specified below. In the case of physical illness, a licensed medical doctor will be required to attest to the total disability of the employee. In the case of mental illness, the illness must be verified and disability attested to by a duly licensed psychiatrist. In either instance, the medical doctor or psychiatrist will include the appropriate diagnostic category. Prior to returning to duty, the disabled employee must provide verification from the physician or psychiatrist (in case of mental illness) stating that they are able to return to work on the approved form. ~~the~~ The member shall receive paid leave from the bank in the following manner:
 - 4- a. All accumulated sick leave of the member must first be expended.

CHAPTER 6.00 – PERSONNEL

- ~~2. b.~~ Before the first benefits for a member can be drawn from the bank, the member must undergo an unpaid leave of twenty (20) continuous work days. However, the member may choose to use accrued vacation days as part of the twenty (20) day period.
 - ~~3. c.~~ Each time a member wishes to draw benefits from the bank, an application must be made to the bank, submitting medical certification and justification for the protracted leave. This leave must be recertified every thirty-calendar days during which time the member is receiving benefits.
 - ~~4. d.~~ ~~A maximum of ninety (90) paid work days may be received from the bank by a member.~~ Each member will be afforded a maximum number of days equal to four times the number of days he/she has earned at the beginning of the catastrophic illness, accident, or injury to a maximum of 100 work days. A maximum of 100 paid work days may be received from the bank by a member per occurrence. Should a member of the Sick Bank exceed his/her 100 days of benefits, he/she will be removed from the Bank as detailed elsewhere in this Appendix at a later date.
 - ~~5. e.~~ A member may appeal to the committee for re-hearing of his or her claim but the committee will remain the final arbiter of any decisions governing eligibility of any claim.
- ~~(b) — Each application for sick leave bank benefits will be reviewed by the overview committee, which may challenge an application in the following manner:~~
- ~~1. — Two (2) or more voting representatives may challenge the medical certification of the applicant.~~
 - ~~2. — Upon challenge, the committee chairperson will randomly choose a doctor from a standing panel appointed by the Board.~~
 - ~~3. — The panel doctor will examine the challenged applicant and review pertinent files and records.~~

CHAPTER 6.00 – PERSONNEL

- ~~4. If the panel doctor concurs with the medical certification of the applicant, the two (2) doctors will choose a third (3rd) doctor of their choice.~~
 - ~~5. If the panel doctor disagrees with the medical certification of the applicant, the two (2) doctors will choose a third (3rd) doctor of their choice.~~
 - ~~6. The third (3rd) doctor will examine the challenged applicant and review pertinent files and records.~~
 - ~~7. If the third (3rd) doctor concurs with the medical certification of the applicant, the certification will stand and the applicant will receive the sick leave bank benefits.~~
 - ~~8. If the third (3rd) doctor disagrees with the medical certification of the applicant, the application will be denied and the applicant will not receive the sick leave bank benefits.~~

 - ~~9. Other than as set forth in this subsection (b)(2) above, no challenges or grievances may be raised concerning the original medical certification and the decision / opinions of the panel doctor and third (3rd) doctor.~~
 - ~~10. The cost of the medical certification will be borne by the member. The cost of the panel doctor and the third (3rd) doctor will be borne by the Board. If at any time the costs of the panel and third (3rd) doctor are becoming, in the opinion of the Board, too burdensome, the Board shall review the feasibility of continuing this rule.~~
- ~~(5) Discontinuation. Within two (2) months after the expiration of the sick leave bank (June 30, 1988), unused sick leave in the bank will be distributed in the following manner, if legally permissible:~~
- ~~(a) Notwithstanding the termination date of the bank, members either currently drawing benefits from the bank or in the twenty (20) day waiting period of June 30, 1985, will receive benefits from the bank according to their medical certifications.~~
 - ~~(b) Thereafter, if the number of unused sick leave days in the bank exceeds the number of members in the bank, each member will receive one (1) of the unused days to be credited to his personal accumulated sick leave account. Those days exceeding the number of members in the bank will not be returned to employees and will be removed from the record of the Board.~~

CHAPTER 6.00 – PERSONNEL

Page 5 of 5

6.911 (Continued)

~~(c) If the number of unused sick leave days in the bank is equal to the number of members in the bank, each member will receive one (1) of the unused days to be credited to his personal accumulated sick leave account.~~

STATUTORY AUTHORITY:

1001.41; 1012.22; 1012.23, F.S.

LAWS IMPLEMENTED:

1001.43; 1012.61, F.S.

History:

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NOTES:

Please Refer To: Human Resources Procedures Manual