



## **Clarksville-Montgomery County Board of Education Clarksville-Montgomery County Education Association**

### **Certified Sick Leave Bank GUIDELINES**

#### **I. Purpose**

The purpose of the Sick Leave Bank is to provide sick leave to employees who have suffered an unplanned illness, injury, disability or quarantine, personally or that of the employee's minor child who resides with employee, and whose personal sick leave, annual leave and vacation days are exhausted.

#### **II. Administration**

1. The Sick Leave Bank shall be administered by a Committee of Trustees. The Committee shall be composed of five (5) members: two (2) members appointed by the Board of Education; two (2) appointed by the Association from its membership and the Director of Schools or designee, who shall chair the Committee. All members of the Committee shall be employees of the School System.
2. The Trustees shall provide for Rules and Regulations not inconsistent with the provisions of TCA 49-5-801 through 810. Copies of the Rules and Regulations shall be filed with the Chief Human Resources Officer and posted on the CMCSS website.
3. Employees participating in the Bank shall agree to abide by the Rules and Regulations established herein by the Trustees.
4. All actions of the Trustees shall require three (3) affirmative votes. Decisions of the Trustees shall be final.
5. All records of the Bank shall be kept in the Human Resource Office of the School System. The Trustees shall inform this office of all applications they approve and the amount of leave granted the applicant.
6. The Trustees or Trustees' designee shall maintain the records of all contributions, withdrawals, and the status of the bank on a current basis. Records of the Bank shall be subject to audit by the School System and the CMCEA.
7. An annual status report of the conditions of the Sick Leave Bank shall be kept in the Human Resource Office.
8. Application forms for the Bank may be obtained in the Human Resource Office at Central Office or on CMCSS website.
9. The Trustees shall act affirmatively or negatively on all Sick Leave Bank applications within ten (10) calendar days of the date the application is received in the office of the Human Resource Director or designee.

#### **III. Membership Provisions**

1. Any permanent employee shall be eligible to participate in the Bank; however, a minimum participation of twenty (20) employees shall be required to establish the Bank.



2. Any employee who elects to participate in the Bank shall initially have two (2) days of sick leave deducted from his/her personal accumulation and deposited in the Bank by completing and signing the Sick Leave Bank Enrollment form. The signing of the Enrollment form by the participant relieves the Board of Education, the CMCEA and the Trustees from any liability as a result of action taken by the Trustees.
3. Enrollment shall be open during the months of August, September and October of any year. Deadline date for enrollment is October 31st.
4. Donations of sick leave to the Bank are nonrefundable and nontransferable except in the event of termination of the Bank. In the event the Bank is terminated, the total days on deposit shall be returned proportionately to the then participating members and credited to their personal sick leave accumulation.
5. If at any time the number of days in the Sick Leave Bank is less than twenty (20), or one half (.5) per member, if there are more than twenty (20) members, or at any time deemed advisable, the Committee shall assess each member one (1) or more days of accumulated sick leave. If a member has no accumulated sick leave at the time of assessment, the first earned days shall be donated as they are accrued by the employee.
6. The enrollment authorization shall remain in effect for the current and subsequent years unless cancelled in writing. Membership withdrawal shall result in forfeiture of all days contributed.

#### IV. Sick Leave Bank Usage

1. Sick Leave Bank days may be granted only for instances of disabling illness, injury or quarantine of the individual member or that of the employee's minor child residing with employee. Grants of sick leave from the Bank shall not be made to any member on account of elective surgery, or the illness of any member of the participant's family with the exception of minor child, or during any period the member is receiving disability benefits from social security or the state or local retirement plan or from the Clarksville-Montgomery County Employees Insurance Trust paid income protection or while receiving payments under On the Job Injury. Disability benefits from individually purchased policies shall not affect eligibility to draw from the Bank.
2. A participant shall not receive any sick leave from the Bank until after having exhausted all accumulated sick leave, personal leave and/or annual leave, including all Board paid extensions.
3. There shall be a waiting period of six (6) consecutive unpaid duty days (excluding extensions for the same illness or injury) following the exhaustion of all available "paid leave" before days from the Bank may be used. There shall be an additional waiting period of six (6) consecutive unpaid duty days for extension requests for a different illness or injury. The six (6) consecutive days must be immediately prior to days requested from sick leave bank.
4. Members of the Bank shall be eligible to make application to the Bank for sick leave only after having been a member of the Bank for thirty (30) calendar days. Further, the member must be on an approved leave of absence to be eligible for Bank days. Intermittent leave is not eligible for Bank days.
5. All requests to draw upon the Bank must be made upon a Sick Leave Bank Request Form (BEN-F052).
6. An applicant or member drawing on the Bank may be required at any time to undergo at his/her expense a medical review by a physician approved by the Trustees.

7. Leave grants from the Bank, recommended by the Board of Trustees shall be in units of not more than twenty (20) consecutive duty days for the individual applicant. Applicants may submit requests for extensions of such leave grants before their prior grants expire. The maximum number of days any participant may receive in a 12 month period (July 1 – June 30) is sixty (60). The maximum number of days any participant may receive as a result of any one or the same illness or accident is ninety (90) days.
8. In the event a member is physically or mentally unable to make request to the Trustees for the use of sick leave days, a family member or agent may file the request.
9. Employees may receive benefits from the Bank only for their annual payroll period of employment.
10. Sick leave granted a member from the Bank does not have to be repaid by the individual except as all members is uniformly assessed.
11. A member shall lose the right to obtain the benefits of the Sick Leave Bank by:
  - a. Resignation or termination of employment
  - b. Refusal to honor such assessment as may be required by the Trustees
  - c. Being on approved leave of absence with the exception of personal illness or disability leave
  - d. Retirement
  - e. Refusal to comply with the guidelines, rules and regulations of the Bank
12. All initial requests to draw from the Bank must be accompanied by a statement on the Medical Certification Form certifying that leave is medically required by the specified illness or disability. Such form must be signed by the physician. Subsequent requests relating to the same illness may or may not require a new Medical Certification Form. This will be left to the discretion of the Sick Leave Bank Committee.

