

MESQUITE ISD SICK LEAVE BANK

The purpose of the Sick Leave Bank is to provide additional sick leave days to members of the Bank in the event of critical illness, medically-necessary (non-elective) surgery, or other injury-related temporary disability which renders him/her unable to perform the duties of his/her position. Days may be requested from the Sick Leave Bank after 20 consecutive absences for the same critical illness, medically-necessary (non-elective) surgery, or other injury-related temporary disability (excluding maternity) which renders him/her unable to perform the duties of his/her position. In addition, days may be requested from the Sick Leave Bank only after the member has exhausted all accumulated sick leave, personal business, local personal, vacation, and tenure days after being absent 20 consecutive days.

Employees who receive district benefits and contribute one or more personal business days shall be eligible to participate. The enrollment period is from the first day of school until September 10. All personnel who join the Bank within the enrollment period are eligible for membership. Donated days cannot be returned even upon cancellation of membership.

Sick Leave Bank days will generally be granted only for consecutive absences from working days and will not be granted for holidays or other days for which the member is not paid. Sick Leave Bank days may be granted for periodic, recurring treatments or surgeries resulting from the same critical illness or severe injury.

Sick Leave Bank days will not be granted for the period of disability when monies are paid to the employee under Workers' Compensation. All unused days in the Bank at the end of the year are carried over to the next year. A contributor loses the right to utilize the benefits only by:

1. TERMINATION OF EMPLOYMENT, FOR ANY REASON, IN MISD

After the effective date of employment termination, former employees are not eligible to apply for the use of Sick Leave Bank days.

2. EMPLOYEE RESIGNATION FROM MISD

After the effective date of resignation indicated by the employee, he/she is no longer eligible to apply for the use of Sick Leave Bank days.

3. CANCELLATION OF PARTICIPATION BY THE MEMBER IN WRITING WITHOUT REIMBURSEMENT

After the effective date of cancellation indicated by the employee, he/she is no longer eligible to apply for the use of Sick Leave Bank days.

4. BEING ON APPROVED LEAVE OF ABSENCE

An approved leave of absence is defined as sabbatical or other non-medically-related absence. During disciplinary-related absences, the member will not be eligible to apply for the use of Sick Leave Bank days.

Application for Sick Leave Bank days must be made to the Governing Committee of the Mesquite Education Association ten (10) calendar days before anticipated needs. The forms include an Attending Physician's Statement form identifying the nature of the illness, the date of the initial onset, and the anticipated date of returning to work; a Request for Sick Leave Bank providing a personal statement explaining the circumstances and the dates of absence expected; and an Authorization for Release of Information form. The Attending Physician's Statement and Sick Leave Bank forms may be obtained through the Facility Representative, the MEA office, or may be downloaded directly from the MEA website. The Authorization for Release of Information form may only be obtained from the MEA office. Incomplete applications will not be considered. If a member is too ill and is unable to file an application, the school principal, supervisor, colleague, or family member may initiate the application. Late application will negatively affect the initial date of the first Sick Leave Bank day granted.

SECTION I PURPOSE AND DEFINITION

A. PURPOSE

The purpose of the Sick Leave Bank is to provide additional sick leave days to members of the Bank in the event of critical illness, medically-necessary surgery (non-elective), or a temporary disability (excluding maternity) due to an injury which renders him/her unable to perform the duties of his/her position. Days may be requested from the Bank only after the member has exhausted all accumulated sick leave, personal business, local personal, vacation, and tenure days after being absent 20 consecutive days.

B. DEFINITION OF SICK LEAVE BANK DAYS FOR MEMBERS

Sick Leave Bank days are those days granted to a member who experiences critical illness, medically-necessary (non-elective) surgery, or other injury-related temporary disability which renders him/her unable to perform the duties of his/her position.

SECTION II MEMBERSHIP

A. ELIGIBILITY

All employees who contribute one or more personal business days shall be eligible to participate.

B. PROCEDURE FOR JOINING THE SICK LEAVE BANK

1. Any employee who is eligible to join the Sick Leave Bank may do so by donating one or more of his/her personal business days.
2. The enrollment period shall be from the first day of the school year until September 10.

3. All personnel who join the Bank within the enrollment period are eligible for the Sick Leave Bank benefit beginning with their first official day of work.
4. Employees desiring to join the Bank shall complete the membership authorization form and submit it to their Facility Representative, who will in turn submit it to the MEA office.

SECTION III REGULATIONS CONCERNING CONTRIBUTION OF DAYS

- A. To become a member of the Bank, an employee must contribute one or more of his/her personal business days.
- B. To continue as a member of the Sick Leave Bank, an employee must contribute one additional personal business day after every five years of employment in the district.
- C. The day(s) will be subtracted from the member's total personal business days.
- D. The day(s) contributed become the property of the Mesquite ISD Sick Leave Bank. All donations will remain in force and cannot be returned even upon cancellation of membership.
- E. Upon using two (2) or more days from the Sick Leave Bank during a school calendar year, an employee must donate a personal business day the following school calendar year to be reinstated in the Sick Leave Bank.

SECTION IV REGULATIONS CONCERNING GRANTING OF SICK LEAVE DAYS FROM THE BANK

- A. **GRANTING OF DAYS FROM THE SICK LEAVE BANK**
 1. Sick Leave Bank days are available only in the event of critical illness, medically-necessary (non-elective) surgery, or other injury-related temporary which renders him/her unable to perform the duties of his/her position.
 2. Sick Leave Bank days will be granted only after the member has exhausted all accumulated sick leave, personal business, local personal, vacation, and tenure days after being absent 20 consecutive days.
 3. Sick Leave Bank days shall be granted only for consecutive absences from working days and will not be granted for holidays or other such days for which the member is not paid.

4. The maximum number of Sick Leave Bank days that may be granted to an employee during the school calendar year will be as follows:

0 - 10 consecutive years of MISD service	15 days
11 - or more consecutive years of MISD service	20 days

5. A member may reapply for any unused days after returning to work if he/she experiences another qualifying critical illness, medically-necessary (non-elective) surgery, or temporary disability due to an injury which renders him/her unable to perform the duties of his/her position. The application process will be the same for each request.
6. Sick Leave Bank days may not be granted for the period of disability when monies are paid to the employee under the Workers' Compensation Act. If circumstances should arise in which monies are received from both Sick Leave Bank and Workers' Compensation, then monies received from the Sick Leave Bank must be reimbursed to the Bank.
7. All unused donated days to the Sick Leave Bank will be carried over at the end of the school year.
8. A contributor will lose the right to utilize the benefits of the Bank only by:
 - a. Termination of employment in the Mesquite ISD for any reason
 - b. Employee resignation from MISD
 - c. Cancellation of participation by the member in writing at any time
 - d. Being on approved leave of absence (non-medical)
9. All Sick Leave Bank members will be subject to the current Sick Leave Bank policy regardless of when they joined. No Sick Leave Bank members will be "grandfathered" so as to be subject to a previous version of the Sick Leave Bank policy.

SECTION V PROCEDURE FOR APPLYING FOR SICK LEAVE BANK DAYS

- A. Should the member have a critical illness, medically-necessary (non-elective) surgery, or other injury-related temporary disability (excluding maternity) which renders him/her unable to perform the duties of his/her position, necessitating the need for days after all accumulated sick leave, personal business, local personal, vacation, and tenure days have been used, an application may be made for days from the Bank.

- B. A member who requests days from the Bank must submit to the Governing Committee ten (10) calendar days before anticipated needs, the following:
 - 1. Attending Physician's Statement form which includes:
 - a. Identification of the nature of the illness, necessity for surgery, or extent of injury
 - b. Description of job limitations
 - c. Date of initial onset of this particular condition
 - d. Anticipated date eligible to return to work on a full or part-time basis.
 - 2. A Request for Sick Leave Bank form which includes:
 - a. A personal statement explaining the circumstances which are to be considered
 - b. Date(s) of absence from work for the illness, surgery, or injury
 - c. Date of initial onset of this particular condition
 - d. Anticipated days, if any, for follow-up examinations (may be limited)
 - 3. An Authorization for Release of Information (HIPAA) form which includes:
 - a. Employee/patient name and ID number
 - b. Person/organization providing information and persons/organizations requesting information
 - c. A description of illness or injury
 - d. Signature of employee/patient and date
- C. The Attending Physician's Statement and Sick Leave Bank forms may be obtained through the Facility Representative, the MEA office, or downloaded directly from the MEA website.
- D. The Governing Committee reserves the right to request notarization of any and all forms.
- E. If a member is critically ill and unable to file an application for sick leave days from the Bank, the school principal, supervisor, colleague, or family member may initiate the application.
- F. Incomplete applications will not be considered. Late application will negatively affect the initial date of first Sick Leave Bank day granted. Under no circumstances will payment for Sick Leave Bank days be made retroactive to a previous pay period.

SECTION VI GOVERNING COMMITTEE

A. NAME

The Governing Committee, consisting of the MEA President and the MEA Administrative Assistant, will approve or disapprove all requests for Sick Leave Bank days. This committee will work with the Assistant Superintendent of Personnel Services and his/her designee.

B. DUTIES AND RESPONSIBILITIES OF THE GOVERNING COMMITTEE

1. All applications for Sick Leave Bank days shall be reviewed individually by the committee.
2. A member may be requested to appear before the committee to substantiate his/her case.
3. The Governing Committee shall determine the number of days approved up to 20 days and reserves the right to approve, disapprove, or modify the days requested.
4. All decisions will be final.
5. Any vacancies on the Governing Committee that arise during the school year shall be filled by a majority vote of the Executive Board of the MEA. The vacancy shall be filled from the group from which the member was elected.
6. The Payroll Manager shall work with the Governing Committee and will process all approved Sick Leave Bank days for members.

SECTION VII FINAL DECISIONS

A. PROCEDURES FOR DECIDING ANY QUESTIONS NOT COVERED HEREIN

Any question concerning membership, regulations, or application for Sick Leave Bank days that may arise after adoption of this plan and not specifically covered herein, shall be submitted to the Governing Committee. The Governing Committee will make a recommendation to the Assistant Superintendent of Personnel Services for a final decision.