



## **Association of Supervisory and Administrative Personnel**

### **Sick Leave Bank Rules and Procedures**

#### **A) General**

- 1) The purpose of the bank is to provide continued pay benefits to members of the Union for qualifying personal illness that is incapacitating to the point where one cannot perform their duties during regularly scheduled duty days. All leave, both personal and sick must be exhausted before the member can use the sick leave bank. The waiting period must be satisfied before your grant can be processed.
- 2) Any violation of these rules or abuse of Bank Leave will be grounds for immediate cancellation of current leave and/or revocation of future Bank privileges.
- 3) All Bank forms are available upon request at the ASASP Office.
- 4) Compliance with the Prince George's County Public School's (PGCPS) leave requirements is the responsibility of the Member, not the sick leave bank committee.
- 5) The bank will be administered by an approval committee with up to five (5) members. This approval committee will be responsible for reviewing requests, verifying the validity of the requests, recommending approval or denial, and communicating its decision to the ASASP Office.
- 6) ASASP shall maintain the Sick Leave Bank records of individual members.
- 7) ASASP shall maintain all records of contributions, grants and cancellations.
- 8) Employees will be subject to all rules, terms and conditions of the Bank
- 9) These rules are subject to revision at any time.

#### **B) Definitions**

- 1) "Member"- Contributors to the sick leave bank who meet all eligibility requirements.
- 2) "Bank"- ASASP Sick Leave Bank
- 3) "Bank Leave"- Days that may be granted to members satisfying all applicable rules.
- 4) "Committee"- ASASP Sick Leave Bank Committee
- 5) "Day"- The number of hours an employee is scheduled to work on a normal workday.
- 6) "School Year"- The fiscal year (July 1- June 30) of the Board of Education of Prince George's County Public Schools.
- 7) "Compensable Days"- Workdays falling between the first and last day of the applicants work year.
- 8) "Unit Member"- Any employee of the Board of Education who is a member of Units II and III.

#### **C) Enrollment Process and Contribution**

- 1) To be eligible to participate in the Bank, an employee must be a member of the ASASP Bargaining Unit.
- 2) Unit members can enroll in the Sick Leave Bank by submitting a completed Sick Leave Bank Donation Form to the ASASP office, which authorizes the deduction of the required contribution from the employee's available sick leave.
- 3) The initial contribution is 3 days (24 Hours)
- 4) The open enrollment period is from July 1 through October 1 for all members. New Unit members are able to enroll in the sick leave bank within 30 days from when they start their new positions, even after open enrollment has ended. Members who have opted to not join the sick leave bank when they started their position, can only join during open enrollment.

- 5) The contribution of the 24 hours will continue to be deducted July 1 of every year until cancelled, in writing, by the Unit member. Contributions will not be returned to the Unit member. Cancellation of deductions from the sick leave bank can be done at any time and will be effective immediately.
- 6) Employees who enroll in the sick leave bank, will have a waiting period of six (6) months before they can use the sick leave bank.

#### **D) Requesting Bank Leave**

- 1) Applicants must be in a PGCPS approved personal illness leave status in order to apply for the Sick Leave Bank.
- 2) It is the responsibility of the member to obtain and submit a Sick Leave Bank Request Form and physician's statement. The anticipated date of return must be completed by the doctor on the physician's statement. An answer of "indefinite" or "unknown" is not acceptable and your form will be returned.
- 3) Member must use all accumulated sick and annual leave before applying for leave from the bank.
- 4) The first sixty (60) days of sick leave bank coverage, a member will continue to receive full salary and benefits. Payment for subsequent grants will be reduced by one day per week up to the maximum number of days allowed per illness. The reduced benefit shall not exceed one calendar year of the employee's contractual workdays.
- 5) All requests to use the sick leave bank must include a Sick Leave Bank Request form and Physicians Statement confirming the cause of illness and brief description.
- 6) Bank grants will not be automatically carried over from the previous fiscal year. All bank grants will end as of the last duty day of the school year.
- 7) The Bank may only be used for contributing Unit members own personal illness. It may not be used for illness of other members of the contributor's family, or by the contributor to remain away from their position in order to assist a member of his/her family who is ill.
- 8) Leave from the Bank may not be used for disabilities which qualify for Workmen's Compensation benefits, unless the member has exhausted all Occupational Disability Leave and has exhausted all of their sick and annual leave. Any Worker's Compensation wages payable for the same dates that the member has used the sick leave bank, will be reimbursed to the Bank by the PGCPS.
- 9) Each Bank grant allows up to 30 business days per grant.
- 10) Applicants must submit a new request form before the previous grant expires. (Accompanied by a new request form and physician's statement.)
- 11) Requests for grants that are for cosmetic or elective surgery or procedures will not be granted.
- 12) The committee shall not grant leave to a member on an approved leave of absence with the exception of personal illness leave.

#### **E) Other Policies and Procedures for Usage**

- 1) Grants from the bank for the same illness or injury shall not exceed one (1) calendar year, i.e. employee's contractual work days from the date of the initial grant.
- 2) An applicant may be required to undergo a medical review by the physician of the Approval Committees choice at any time, at the members expense.
- 3) In case a contributor's incapacity is of such a nature that he/she cannot personally apply for a grant, his/her family can submit the application on their behalf.
- 4) The sick leave bank will not be responsible for any overages incurred by the member.
- 5) No sick leave bank member will be authorized a grant from the Bank for pre-existing conditions for the first twelve (12) months of membership. Pre-existing conditions shall include, but not be limited to, any condition for which the member received treatment during the twelve (12) month period preceding the members enrollment into the Bank.
- 6) Approval of a bank grant is automatically and immediately rescinded effective with the first day a member begins work for another employer.
- 7) Psychiatric Disability- A member using the Bank for psychiatric disability must be under a psychologist's or psychiatrist's care. He or she must submit a treatment plan to the committee. Such a

plan must provide satisfactory evidence that every reasonable effort is being made to recuperate and return to work in full health as soon as possible.

- 8) Medical Disability- A member using the Bank for medical disabilities must be under the care of a medical doctor. He or she must submit a treatment plan to the Committee. Such a plan must provide satisfactory evidence that every reasonable effort is being made to recuperate and return to work in full health as soon as possible.

#### **F) Waiting Period**

- 1) The first thirty (30) consecutive duty days of incapacitating illness or disability must be covered by the employees own accumulated sick leave, annual leave, or leave without pay the first time the member qualifies for a grant from the Bank. For subsequent grants from the bank, the first fifteen (15) duty days of incapacitating illness or disability must be so covered.
- 2) The thirty/fifteen day waiting period begins when the member goes out on leave and remains for consecutive days.
- 3) Additional requests for use of the sick leave bank for the same illness, injury or disability in the same fiscal year will not require any further waiting period.

#### **G) Limitations on Use of Bank Leave- Disability Retirement**

- 1) If there is evidence, based on information from the physician that the employee may never return to work, the Committee may notify a member who is requesting Bank leave he or she must apply within 15 calendar days of notification for disability retirement benefits to qualify for additional leave. The member must pursue the earliest possible retirement date.
- 2) Members remain eligible for Bank leave during the time when they are applying for retirement provided that a member complies with all requests for information in a timely fashion from the retirement/pension system administrators.
- 3) The member will be ineligible for Bank leave from the date the retirement/pension system approves disability retirement. The member must notify ASASP of the approval. If denied, the member must notify ASASP no later than fifteen (15) days of receiving the denial letter. Following denial of disability retirement, the member may continue to use the sick leave bank.
- 4) A member will not be granted Bank leave to pursue a work-related accidental disability retirement unless he/she is advised by the Committee.

#### **H) Limitations on Use of Bank Leave- Worker's Compensation**

- 1) The committee shall not grant leave for the same period for which full Worker's Compensation, State Retirement, or Social Security Benefits are granted. The committee shall not grant leave for: the balance of time during the first year. Of Worker's Compensation leave under conditions whereby the member is only receiving the: state portion of Worker's Compensation benefits due to his/her choice of physicians. All monies payable to the Unit Member through the Worker's Compensation Law of the State of Maryland, or resulting from a legal liability of a person other than the unit member must, under the right of subrogation, be transmitted to the Board by the unit member. The member must inform ASASP, no later than fifteen (15) days after the member receives notification of the benefits.

#### **I) Appeals**

- 1) If the Committee denies a request for a grant, the applicant may appeal the decision in writing to the ASASP Executive Board, which will decide whether to request the Committee to consider the appeal.
- 2) Appeals must be requested within fourteen (14) calendar days after applicant receives notice of the Sick Leave Bank Committees decision.