

LEWISVILLE ISD SICK LEAVE BANK RULES

Purpose and Definition The purpose of the Sick Leave Bank is to provide additional paid sick leave days to members of the Bank in the event of extended illness, surgery, or a disability due to an injury when the member is unable to perform the duties of his/her position. Benefits are for personal illness/injury of the member, and for serious illness, injury or death of family members (as defined within the bereavement and critical care benefits).

The LISD Sick Leave Bank (SLB) is defined as a pool of local sick leave days contributed by eligible district personnel.

Membership Eligibility Eligibility is limited to all full-time employees of the Lewisville Independent School District. Full-time shall be defined as thirty or more hours of duty per week.

Eligibility for membership begins on the first official work day for eligible personnel.

An employee must be able to earn at least one local personal leave day from the beginning of his/her employment to the end of that SLB year to be eligible for membership.

Application for membership must be made during the enrollment period or within thirty one (31) days of employment or eligibility for membership.

Sick Leave Bank Calendar Year The sick bank calendar year is from July 1st through June 30th for all staff.

- Sick Leave Bank Enrollment**
- A. Existing employees
 - a. Sick Leave Bank enrollment will be conducted during the benefits open enrollment time period.
 - b. This process will track each employee's selection electronically. The Employee Services/Benefits office will notify all employees that Sick Leave Bank enrollment must be completed on-line. This information will be communicated through e-mail and by notifying the following:
 - i. Principals
 - ii. Food service supervisors
 - iii. Warehouse supervisors
 - iv. Maintenance supervisors
 - v. Administration supervisors
 - c. Employees on leave of absence during the enrollment period will be sent a flyer informing them of the Sick Leave Bank enrollment period and the method for enrollment

B. New hires

- a. New employees will indicate their Sick Leave Bank election through the on-line benefits system
- b. New employees that fail to make an election within 31 days of their hire date will not be allowed to join the Sick Leave Bank until the following plan year

Contribution Of Days

For employees who elect to join the SLB, one local personal leave day will automatically be subtracted from the employee's personal leave balance. It becomes the permanent property of the bank and cannot be returned. Each deposit remains the property of the bank, even in the event of termination, resignation.

Unused bank days carry over to the next SLB year.

If a member uses any days from the bank during a bank year, the employee will be required to become a member the next bank year whether or not the employee wishes to enroll. One (1) day will be subtracted from the employee's personal leave balance during the member's next year of employment.

In the event that as of March 1 the number of unused bank days is equal to or greater than three (3) times the number of current members then employees who continue their membership the following year do not have to donate a local personal day (provided that the employee did not use any days from the bank during the current bank year).

Withdrawal Of Days

Only bank members in good standing are eligible to withdraw days.

Days will be awarded only after the member has exhausted all accumulated state and local leave.

The Sick Leave Bank may provide a member with benefits for serious illnesses and injuries. A member may apply for days after ten (10) consecutive days of absence for reasons of personal illness or injury. A member may apply for days for planned absences such as surgery or hospitalization in advance if it is anticipated that the absence will exceed ten (10) days.

There is no 10 day waiting period for critical care or bereavement leave. A member may apply for these immediately.

The ten (10) consecutive days of absence provision is modified to include school holidays for employees that elect to postpone their medical treatment/care to a school holiday but who are unable to postpone the medical treatment/care to the summer months. The days during the holiday period that an employee would have been absent had the employee not postponed their medical treatment/care will count toward satisfying the 10 day absent rule.

The ten (10) day consecutive absence requirement is waived for employees who have a minimum of 10 absences due to a serious long term illness/injury but whose absences are not consecutive.

Benefit days are retroactive to the first day of eligible absence once all other eligibility criteria are met.

No benefit days will be granted unless an actual absence from normal duty occurs.

No benefit days will be granted for elective absences, elective surgical or medical procedures, or procedures that could be safely and reasonably postponed to extended school breaks.

Workers' compensation – benefits may NOT be used to offset the loss of income for employees that are unable to work because of a work related injury.

If the member dies before all approved absences are used, the unused days revert to the bank. There are no survivor benefits under any circumstance.

The Application Process

The Application for Sick Leave Bank Days must be submitted to the Employee Services/Benefits Office of the Lewisville ISD. If the member is too ill to complete the application, his or her building or area administrator may begin the process on the member's behalf.

The deadline for submitting the application to the Employee Services/Benefits Office is 60 days from the first date of absence pertaining to the SLB request.

Each illness or injury must be applied for separately and each must meet the criteria for approval of benefits on its own merits. This may not apply, however in certain circumstances such as recurring absences due to the same illness. See Guidelines for Benefits.

The SLB Board will make the final determination of the eligibility of the member's request for days from the SLB. If all criteria are met, the SLB Board will approve a maximum number of days (up to 25) that the member may withdraw from the Bank. In no circumstance may the member withdraw any days that exceed his or her actual absence for the period covered by the approved application.

The SLB Board tries to meet at regular intervals to assure that any decision will be made prior to the cutoff date for payroll determination. If the cutoff date is missed on an individual applicant, the Payroll Office will make corrections on the next payroll check as supplemental pay. You may determine the cutoff date for your position by checking with Payroll or your administrator. The Payroll Office will not be able to issue special checks.

Applicants who wish to discuss their particular situation may contact:

- Employee Services/Benefits Office for questions regarding SLB Board meetings
- Payroll Office for questions on pay and leave balances
- SLB Board Members for questions on SLB Board activities and responsibilities

No individual is authorized to make SLB or application decisions.

Guidelines for Benefits

The maximum number of days granted to any employee during any one bank year shall be 25. The maximum lifetime benefit shall be 100 days. Any days utilized will be deducted from the 25 total annual and 100 total life benefit days for the member. A member may receive any combination of sick leave, critical care leave, or bereavement leave, but the total number may not exceed 25 in a SLB year or 100 in a lifetime

A member who has not used the maximum yearly or lifetime benefit may apply for days for any absence that meets all regulations governing the withdrawal of days from the Bank.

If a member does not utilize all approved benefit days, the number of unused days are restored to the member's annual and lifetime balance and the unused days are returned to the SLB.

Absences at the Beginning of the Sick Leave Bank Year

Employees that are on leave of absence at the beginning of the Sick Leave Bank year will not be paid for any days awarded from the Sick Leave Bank until the employee has returned to work for a minimum of 18 days. The employee may apply for and be awarded Sick Leave Bank days for the absences at the beginning of the Sick Leave Bank year but the employee will not be paid for these days until they have returned to work for a minimum of 18 work days

Critical Care Leave Benefit:

A member will be eligible for up to 25 consecutive *or* intermittent leave days to provide intensive or end-of-life care for a member of his or her immediate family. Critical care does not have to take place in an institutional or hospital setting. Immediate family is defined as spouse and mother, father, or child whether biological, adopted, foster, or step.

Intensive care is limited to situations in which the employee's family member experiences an unexpected and/or unavoidable illness, surgery or injury that is critical, debilitating, and/or life threatening or that requires inpatient hospitalization. The employee must be responsible for providing care to the family member.

A child not being eligible for day care services does not by itself constitute critical care. Providing transportation for office visits or therapy does not constitute critical care.

Because it is not possible to describe all family responsibilities and relationships, the SLB Board may, with unanimous approval of all voting SLB Board Members, extend this benefit to applying bank members if there is sufficient information to confirm that the applicant's request meets the spirit of this rule.

There is not a 10 day waiting or qualification period for this benefit. Absences do not have to be consecutive to qualify for this benefit. This benefit will be deducted from the annual benefit of 25 paid Sick Leave Bank days and from the maximum lifetime benefit of 100 paid Sick Leave Bank days. A member must have sufficient leave balance in his/her account (25 days per benefit year and 100 lifetime benefit) to cover any approved critical care leave. A member who does not have a leave balance in the benefit year will not be eligible for critical

care leave beyond his or her annual or lifetime balance.

All accumulated state and personal leave must be used first.

The deadline for submitting the application to the Employee Services/Benefits Office is 60 days from the first date of absence pertaining to the SLB request.

If the family member dies during a Bank member's absence for an approved critical care leave benefit, the day of the death is counted as critical care leave. If the Bank member has any SLB benefits remaining for that Bank year, the member may then apply for bereavement leave.

All accumulated state sick and state and local personal leave must be utilized prior to receiving SLB benefits. SLB leave does not affect the member's hardship leave nor does the member have to utilize the 10 hardship days prior to eligibility for SLB benefits.

Bereavement Leave Benefit

The length of bereavement leave is defined as the time from the death of the individual to the funeral, including travel time.

A Bank member will be eligible for a maximum of 5 consecutive workdays of paid bereavement leave due to the death of a spouse, parent, child (biological, adopted, foster, or step-child), sister or brother.

A Bank member will be eligible for a maximum of 3 consecutive days of paid bereavement leave due to the death of an employee's or spouse's grandparent or the employee's father-in-law, mother-in-law or grandchild.

A Bank member will be eligible for the maximum of 3 or 5 days paid bereavement leave for each loss whether the deaths occur together or separately up to a maximum of 25 days per benefit period.

This benefit will be deducted from the annual benefit of 25 paid Sick Leave Bank days and from the maximum lifetime benefit of 100 paid Sick Leave Bank days.

All accumulated personal and state leave must be used first.

A member must have sufficient leave balance in his/her account (25 days per benefit year and 100 lifetime benefit) to cover any bereavement leave. A member who does not have a leave balance in the benefit year will not be eligible for bereavement leave from the SLB.

The member or his/her supervisor/administrator must submit the application for bereavement leave within 60 days of the employee's return to work. Sufficient documentation of the death and relationship of the deceased to the employee will be necessary before any application can be approved.

Sufficient documentation may include a statement from your supervisor/administrator verifying the absences due to bereavement including the relationship of the deceased to the employee, a copy of the death certificate, a funeral notice, or an obituary clipping.

Notification and Appeals A member shall be notified within five working days of the decision of the SLB Board. The member then has ten working days to appeal any decision to the SLB Board. All appeals must be in writing and sent to the Employee Services/Benefits Office. Supporting documentation should be included.

A member has the right to appear before the SLB Board to present his/her case, or the SLB Board may request (in writing) that the member appear before the SLB Board to substantiate his/her claim. Requests to appear before the SLB Board should be made in writing and sent to the Employee Services/Benefits Office.

Decisions of the SLB Board can be appealed to the Board of Trustees pursuant to DGBA (LOCAL) Policy beginning at Level Two.

SLB Board of Directors/Confidentiality The governing body for the Lewisville ISD Sick Leave Bank shall be the Sick Leave Bank Board of Directors, hereafter referred to as the SLB Board.

Membership on the SLB Board is restricted to personnel who are members in good standing of the SLB Bank at the time of the new year enrollment, and who agree to fulfill the obligations of a SLB Board member for a two-year term.

At the October meeting each year, SLB Board Members will be required to sign a confidentiality statement. What is seen and discussed in the course of serving on the Board is in strict confidentiality.

The only people allowed to attend a Board meeting are the nine Board members, the three advisors and any employee requesting to address the Board.

SLB Board Composition The SLB Board of Directors shall be composed of the following:

- Place 1: Administrator
- Place 2: Administrator
- Place 3: Instructional Staff
- Place 4: Instructional Staff
- Place 5: Instructional Staff
- Place 6: Instructional Staff
- Place 7: Support Personnel
- Place 8: Support Personnel
- Place 9: Support Personnel

Advisors: Three permanent advisors:
Employee Services/Benefits Administrator
Employee Services/Benefits Leave Coordinator
Director of Health Services

Term of SLB Board Service SLB Board representatives serve a two year term beginning on October 1st of the first year and ending on September 30th of the second year. If re-elected, a representative may serve consecutive terms. There are no term limits. A representative may not serve on the SLB Board after ending employment with the District for whatever reason. A SLB Board member may also be removed from the

SLB Board for failure to attend three consecutive meetings.

Vacancies

The SLB Board has full authority to fill any vacancies that occur during a Bank year whether the vacancy occurs by resignation or by failure of a SLB Board member to attend three consecutive meetings. Appointed representatives serve through the end of the term of the SLB Board member replaced.

Compensation

SLB Board of Directors and Advisors must enroll in the Bank each year they serve. However, no day will be subtracted from their personal leave during each year of service or for one additional year for each year service. In effect, each year of service on the SLB Board earns two years of "free membership" in the Bank. Failure to attend three consecutive meetings disqualifies the SLB Board Member and Advisor for the additional year(s) of compensation. Support Staff Board members must be off the clock for meetings.

Election

Elections will be held each school year. Place 1, Place 3, Place 5, Place 7, and Place 9 will be subject to elections in school years ending in an even year. Place 2, Place 4, Place 6 and Place 8 will be subject to elections in school years ending in an odd year.

Announcement of pending SLB Board election will be made approximately two weeks before the planned date. Members will receive an email to allow them to register as candidates for the SLB Board. Members must file as candidates in their own category.

Ballots and instructions will be distributed to current members in September. An announcement identifying the successful candidates will be made prior to the end of September.

Newly elected representatives will assume office on the first Thursday in October.

Meeting times and locations are determined by SLB Board members. Regular SLB Board meetings are held the first Thursday of each month beginning at 4:30 PM at the Bolin Admin. Building.

SLB Board members may choose to handle summer *and emergency* applications by e-mail and/or telephone. The SLB Board will decide prior to the summer break the procedures it will follow to insure that summer employees can receive Bank benefits without undue delay. The SLB Board may elect to waive the meeting requirement and adopt procedures that protect the intent of the Bank rules without violating the confidentiality of the applicant.

Duties and Responsibilities

The SLB Board shall select a Secretary. The Secretary signs the application forms on behalf of the Board.

The Benefits Leave Coordinator will receive and process all applications for Bank membership and benefits, keep membership lists, process all approved benefits, and facilitate the functioning of the Bank.

The SLB Board shall review all applications for benefits and determine the

maximum number of days to be approved, if any. Approval of the application and the number of days shall be by a simple majority of voting members casting a vote.

Tie votes shall be broken by the permanent advisors in attendance.

The SLB Board shall specify the reasons if an application is rejected or not approved.

The SLB Board shall be responsible for hearing all appeals of its decisions.

The SLB Board shall protect the confidentiality of its members and documents by having all but the originals destroyed after final decisions are made.

No SLB Board member may vote on an application of any member of his/her family whether the relationship is by blood or marriage.

The SLB Board shall be responsible to oversee the actions and attendance of SLB Board members and may remove any member when it is deemed in the best interest of the Bank and its members to remove that member. This action does not deprive the representative of his/her privileges as a Bank member, but he/she forfeits any additional year compensation. Simple majority rules; ties are broken by the Permanent Advisors.

The SLB Board will have full and final authority to address any topics or questions not covered herein. Recommendations concerning regulations or rules shall be developed in consultation with the Permanent Advisors to the SLB Board.

The SLB Board must submit for approval any proposed rule or regulation that may have an effect on a department or this District to the head of that department or to the Superintendent of Schools as appropriate.

Duties and
Responsibilities of the
Officers

The Benefits Administrator is responsible for coordinating and conducting all official meetings of the SLB Board. This person has the authority to designate duties to other representatives and to agree to arrangements with District departments that will facilitate the activities of the SLB Board. The Benefits Administrator has the authority to represent the SLB Board and the SLB in District and departmental meetings, but not to agree to any action by the SLB Board without approval by the SLB Board Representatives.

The Benefits Leave Coordinator can act in place of the Benefits Administrator when that person is absent.

The Benefits Leave Coordinator keeps brief minutes of meetings, including actions taken, decisions made, members present, and members absent.

Examples:

Non-Consecutive
Absences

For example: An employee receives chemo treatments every other week which cause the employee to miss two days of work every other week for twelve (12) weeks. This employee would miss 24 days of work but would not meet the ten (10) day

consecutive absence rule but would be eligible for Sick Leave Bank Benefits.

Some absences may extend from one benefit year into the next. In this circumstance, the employee or his/her administrator may apply for benefits from the next SLB year if it is anticipated that the absence will extend beyond the number of days already approved. In this instance, the employee is not expected to work a day in the new SLB year before becoming eligible for the benefits from the next year, but the employee or his/her representative must enroll the employee in the new SLB year. The employee could conceivably obtain a benefit of 50 consecutive days with 25 days from each SLB year. No new year benefit will be paid until the employee returns to work for a minimum of 18 work days.

Surgical Benefits

Prior to any non-emergency surgery, Bank members are advised to have their physician complete the information on the application form to verify that the surgery cannot be scheduled during one of the employee's longer duty breaks of the Bank year. Failure to obtain this information could lead to loss of benefits. Please refer to the following:

Example: A 10-month employee is advised to have a surgical repair of the knee to increase its stability. The surgery could be scheduled during the non-duty summer break, in the opinion of the physician, without being detrimental to the employee's health recovery. The employee would NOT be eligible for benefits.

Example: A 12-month employee is advised to have the same surgery as the employee above. This employee does not have a prolonged non-duty break and there would be no time during the year when a surgery would not interfere with his/her work. This employee would be eligible.

Obstetrical Benefits

The SLB Board receives many applications for benefits during pregnancy. All members are eligible for benefits during illnesses and injuries that meet qualifying SLB absence prerequisites and none are eligible for non-illness, non-injury, or elective procedure absences.

While pregnancy is not categorized as an illness or injury, it is recognized that a pregnant individual or the unborn child may become ill or injured during pregnancy. The physician's statement specifying the cause of absence must sufficiently assure the SLB Board that the absence qualifies as an illness or injury, bereavement, or critical care leave. Therefore, the reason for absence must clearly be due to the illness or injury of the SLB member or her infant and not due to the pregnancy *per se*.

Only *serious* complications during pregnancy would afford an employee benefits under the SLB plan. These would include complications that represent an increased risk for morbidity or mortality before or after delivery.

Without attempting to provide a complete list, some medical and surgical complications during pregnancy might include, stroke, thyroid diseases, pituitary dysfunction, slipped disc, heart disease, liver disorders, significant bleeding or hypertensive episodes.

Absences due to prescribed complete bed rest and/or hospital admissions deemed necessary to save the life or function of a covered pregnant employee and/or her

unborn infant may be a qualifying absence if the information provided by the physician clearly indicates that the admission was due to such a condition or emergency. In this instance, the benefits begin the day of prescribed bed rest *or* admission to the hospital and extend through the day the employee is discharged from the hospital, becomes ambulatory, or no longer at risk for significant morbidity or mortality.

Labor and delivery is not considered an emergency admission even though it may be an urgent admission. Delivery of a pregnancy by C-section, does not itself qualify the Bank member for SLB benefits. The period needed to recover from the delivery of a child is not eligible for Sick Leave Bank benefits.

Illnesses and injuries of an employee and infant as a consequence of a pregnancy and/or delivery may qualify and would extend only until the employee or infant returns to routine prenatal care. SLB benefits after a scheduled maternity leave ends may be approved if information provided by the physician clearly indicates that the extended leave is medically necessary. The dates and reasons for absences related to the serious conditions or complications must be specified.

Caring for the newborn that is not critically ill or injured does not constitute a qualifying absence. If the infant is considered in need of critical care, the employee is entitled to apply for Critical Care benefits at the point the employee herself is medically released.

Sick Leave Bank Benefits precede District hardship leave benefits and do not affect the member's hardship benefits.

Below are some examples to help the member understand the concepts described above.

Example: The doctor recommends a Caesarean Section. This procedure is not unusual in pregnancies and would not be covered.

Example: An employee decides to have a tubal ligation during the Caesarean Section and later develops a wound infection. None of the absences would be covered as she was already scheduled to be off duty. However, her absence had to be extended for two more weeks after her scheduled return to work for wound treatment. These two weeks would be covered.

Example: The employee discontinued work because of anemia, fatigue and swollen ankles. There were no medical findings to indicate that either the employee or the fetus were at serious risk for morbidity or mortality. This is not an unusual occurrence during pregnancy and would not be a covered absence.

Example: The employee begins her scheduled six weeks maternity leave post delivery. During this time her infant becomes ill and is hospitalized. The infant is released prior to the employee being medically released. The member is not eligible for Bank benefits as this occurred during the time the employee has not been medically released herself. If the infant remains ill past the point the employee is medically released, the member may apply for critical care leave to cover those dates.

Approved Treatment
and Follow-Up

The SLB Board will generally accept the recommendations prescribed by physicians, osteopaths, mental health professionals, chiropractors, dentists, physician's assistants, nurse practitioners and certified family nurse practitioners licensed to practice in the United States. Procedures or absences recommended by practitioners of other disciplines such as, alternative or holistic medicine, family members, and those without licenses to practice in the United States will not usually be accepted.

Many illnesses and injuries require follow-up and/or therapy after the initial treatment. Generally these can be scheduled with a minimum of time off, such as three hours per week of physical therapy, or office visits to evaluate progress after hospitalization. These would not generally be covered absences since these could usually be completed in 2 or 3 hours. The problem of over-scheduling appointments by physicians cannot be remedied by the Bank.

There are, however, other situations that require longer absences over periods of time because of the intensity or side effects of the therapies or treatments or because of the distance the employee must travel to obtain the therapy. Examples of these may include kidney dialysis, major burn therapy, and chemotherapy. These might be considered by the SLB Board to be a continuation of the original condition that met the eligibility criteria. The total benefits for a school year or lifetime would remain unchanged; however, the SLB Board may elect to waive the ten day rule in one year to continue therapies for an illness or injury that qualified in the previous Bank year.

Some follow-up treatments would be considered elective and would not be considered to be covered by SLB benefits. Some examples are below:

Example: A scar revision for cosmetic purposes of an earlier covered surgery is not usually covered unless the second surgery was recommended or planned as part of the original surgery.

The surgical site for removal of a malignant melanoma is allowed to heal with a plan to revise the scars as soon as healed would be covered.

The closing of an ostomy is considered a continuation of the original surgery and is covered.

Breast reconstructive surgery planned after healing is complete would be covered; reconstructive surgery decisions made at a later date on the wish of the employee would not be covered.

Example: A member decides to travel to Mexico to try experimental therapy for a chronic illness. This would not normally be covered unless a physician licensed to practice in the States made the original recommendation for this therapy.

Example: An optometrist, licensed in the United States, recommends extensive vision therapy to improve reading ability and reduce eye fatigue. This is not a recognized medical condition and would not be covered.