

# HUNTSVILLE CITY SCHOOLS

## SICK LEAVE BANK

### GUIDELINES

#### A. Purpose

The Huntsville City Schools Sick Leave Bank for All Personnel (SLB) is established to provide a loan of leave days for its participating members after their accumulated sick leave days have been exhausted. It is the purpose of the SLB to allow any school employee who earns sick leave and who wishes to participate to also have access to the catastrophic sick leave provisions as established by law.

#### B. The Sick Leave Bank (SLB) Committee

1. **Composition** - The SLB Committee shall consist of five members. Four of these members shall be members of the SLB and are to be elected by the participating members of the SLB. The remaining member shall be appointed by the Chief Executive Officer.
2. **Terms of Office** - Members of the SLB Committee will serve a term of one year. The terms of office shall begin on October 1 and expire on September 30.
3. **Administration and Policies** - The SLB Committee is charged with the administration, operation, and the establishment of policies of the SLB. The Committee shall also take any other actions deemed necessary for the effective and efficient operation of the SLB consistent with these Guidelines.
4. **Guidelines** - The SLB Committee shall be responsible for writing the Guidelines which shall govern the operations of the SLB and catastrophic leave policies.
5. **Duties of the SLB Committee:**
  - a. **Officers** - The SLB Committee will elect, by a majority secret vote, a chairperson from among its members at the beginning of each year. Other officers may be elected as the Committee shall determine.
  - b. **Meetings** - Meetings of the SLB Committee shall be scheduled on a regular basis as determined by the Committee. Additionally, meetings may be called by the Chairperson or by a majority of the Committee.
  - c. **Decisions and Votes** - Decisions affecting the SLB and Catastrophic leave are to be made exclusively by the SLB Committee by a majority recorded vote.
  - d. **Forms** - The SLB Committee is charged with the responsibility of developing and distributing the necessary forms so that all eligible employees will have reasonable access to the forms and membership. All forms developed by the SLB Committee shall be available on the Huntsville City Schools *Webpage*, Huntsville

City Schools *Forms Department* and at the Huntsville Education Association office.

- e. **Loans from the SLB** - The SLB Committee shall review all applications for loans from the SLB and make appropriate decisions on approval of such loans except as provided for pertaining to catastrophic leave.
- f. **Abuses** - Any alleged abuse of the SLB shall be investigated by the Committee and, on a finding of wrongdoing, the violator shall repay all of the sick leave credits drawn from the SLB and be subject to appropriate disciplinary action.

C. **Eligibility and Participation**

1. **Participation** - Participation in the SLB shall be voluntary; however, any member wishing to withdraw from the SLB may do so ONLY AT THE END OF THE SCHOOL YEAR (JUNE 1 - JUNE 30) OR UPON EMPLOYMENT DEPARTURE FROM THE INSTITUTION.
2. **Donor and Beneficiary: *Membership Required*** - Both employee and the beneficiary employee must be members of the SLB.
3. **Eligibility and Membership** - Any employee of the Huntsville City Schools who earns sick leave is eligible to join the SLB. Any eligible employee who has completed a SLB authorization form contributing or committing the designated number of days to the SLB shall be a member.
4. **Requisite Number of Days** - To be a member of the SLB, the employee must contribute five sick leave days to the SLB.
5. **Enrollment Period** – THE CONTRIBUTION OF LEAVE BAYS INTO THE SLB MUST TAKE PLACE DURING A **DEFINITE ENROLLMENT PERIOD WHICH SHALL BE FROM INSTITUTE DAY THROUGH SEPTEMBER 30 AND FROM JANUARY 30 THROUGH FEBRUARY INCLUSIVE.** Those new employees who do not have the necessary five days to contribute to the SLB for membership shall be credited with the days upon employment in order to join the SLB.
6. **Maximum Borrowable Days** - No employee shall be allowed to borrow or owe a number of days which is in excess of 15 days more than the employee has on deposit in the SLB.
7. **Exhaustion of Leave** - To be eligible for a loan from the SLB, a participating member must have exhausted all accumulated sick and personal leave in his or her personal account.
8. **Deposited Days Counted Toward Maximum Accumulation** - Days which a contributing employee has placed in the SLB are to be counted toward the cumulative total maximum sick leave days allowed (see Section 16-1-18.1, Code of Alabama 1975).
9. **Recording and Reports** - The Huntsville City Schools payroll department shall

maintain records of all contributions to and withdrawals from the SLB, and the status of the SLB.

10. **Application for Loan** - In cases where the member has become incapacitated, his or her designated agent may apply to the SLB Committee on the member's behalf, except as provided in the catastrophic leave provisions of the guidelines. All requests for SLB loans must be in whole-day increments.
11. **Retroactivity** - At the discretion of the SLB Committee, and upon the request of the applicant, loans may be granted retroactively to the first day of the absence.
12. **Physician's Statement** - THE SLB COMMITTEE SHALL REQUIRE A STATEMENT FROM THE BENEFICIARY EMPLOYEE'S PHYSICIAN CERTIFYING THAT THE MEMBER HAS AN ILLNESS OR DISABILITY AS PREREQUISITE FOR AWARDED LOAN. A uniform form, adopted by the SLB Committee shall be made available to the physician for his/her statement.
13. **Repayment of Loaned Days** - Members of the SLB who borrow from the SLB shall be required to repay the SLB as he or she accrues days monthly. An individual cannot leave employment without repaying any outstanding debt of leave days to the SLB, except as provided by the catastrophic provisions of these guidelines. If the member has no sick leave days remaining, then his/her final check shall be garnished at the prevailing rate of pay for the number of days owed to the SLB. Such monies collected from former members of the SLB by the administration shall be used to replace the number of days borrowed from the SLB. If a member of the SLB has days borrowed and is on sick leave and cannot return to work due to a permanent disability, the employee of his/her designation may request a donation of days under the catastrophic sick leave provisions of law and these guidelines; in such case, the donated days shall be used to repay the SLB and the beneficiary employee's last paycheck shall not be garnished.
14. **Retirement** - Any member who is retiring may withdraw his or her donated days from the SLB for retirement credit as provided in Section 16-25-11.1 of the Code of **Alabama** 1975.
15. **Use of Days** - Days may be borrowed from the SLB for the member's own sickness and/or to attend to covered family and friends and circumstances as provided in Section 16-1-18.1 of the Code of Alabama 1975.
16. **Resignation** - Resignation from the SLB must be made by submitting the official form to the SLB Committee according to the stipulated timeline. If a member resigns from the SLB, any days which the member has on deposit shall be re-credited to the employee's personal sick leave account.
17. **Disagreements and Appeals** - ANY INDIVIDUAL WHO DISAGREES WITH THE INITIAL DECISION OF THE SLB COMMITTEE MAY APPEAL THE DECISION IN WRITING FOR RECONSIDERATION TO THE SLB COMMITTEE, The Committee shall have the authority, but shall not be required, to put the issue to a vote of the full membership of the SLB. The decision of the SLB Committee shall be final and binding on all parties.

**HUNTSVILLE CITY SCHOOLS**  
**CATASTROPHIC**  
**SICK LEAVE GUIDELINES**

1. **Membership in Sick Leave Bank Required:** To donate or receive catastrophic sick leave days, the employee must be a member of the Sick Leave Bank (SLB).
2. **Prerequisite of Receipt of Days:** In accordance with the Code of Alabama, Section 16-22-9, when an SLB member or other family member or friend (see Code of Alabama, Section 16-18.1) is suffering a catastrophic illness injury, the member, upon depleting all sick leave and other earned leave, shall be eligible to receive sick leave days from other members of any sick leave bank to cover the period of time during which the employee cannot be at work. However, before receiving any catastrophic sick leave days from any other member, the beneficiary employee must have borrowed the maximum number of days allowed from the SLB (not to exceed 15 days). The beneficiary employee must use any sick leave days, personal leave days, and vacation days which are earned each month before utilizing donated days. **ANY REQUEST FOR CATASTROPHIC LEAVE SHALL BE MADE TO THE SLB THROUGH HEA. ANY PERSONAL CORRESPONDENCE IS STRICTLY PROHIBITED.**
3. **Terms and Definitions:** The employee receiving donated catastrophic sick leave days shall be known as the "beneficiary employee" and the employee donating catastrophic sick leave days shall be known as the "donor employee". The term catastrophic illness or injury shall be defined as required in Section 16-22-9, Code of Alabama 1975. A pregnancy or condition relating to childbirth is specifically included in the definition of a catastrophic illness, therefore, upon a doctor's signature and completion of the required form, a pregnancy or condition related to childbirth may fall within the parameters of a catastrophic illness.
4. **Repayment not Required:** The beneficiary employee shall not be required to repay the donated days to the sick leave bank for days used.
5. **Eligibility of Donor:** Any member of the Huntsville City Schools SLB or any other public education SLB in the state may donate sick leave days to the beneficiary employee.
6. **Limit of Days by Donor:** No employee may donate more than 30 sick leave days to the beneficiary employee (as required in Section 16-22-9, Code of Alabama 1975). The 30-day limitation is a permanent ongoing limitation, and not just per illness or per pregnancy.
7. **Application for Days:** A letter of request by the employee to receive a catastrophic sick leave donation is desirable, but in cases where the employee is physically unable or incapacitated, a letter of request by the member shall not be necessary; however, before donations to any beneficiary employee will be deposited into the sick leave account of the employee, certification of the illness by the employee's physician must be on file. Certification shall be by a licensed physician as required in Section 16-22-9 of the Code of Alabama of 1975. The SLB Committee shall authorize a standard form for certification by the physician. **ANY REQUEST FOR CATASTROPHIC LEAVE SHALL BE MADE**

**TO THE SLB THROUGH HEA. ANY PERSONAL CORRESPONDENCE IS STRICTLY PROHIBITED.**

- 8. Coordinator:** The SLB Committee may appoint a "Catastrophic Sick Leave Coordinator." If a coordinator is appointed, it shall be the responsibility of the Coordinator to make recommendations as to the number of days which a beneficiary employee may need to have donated and to monitor the situation with the beneficiary employee to assist the employee in receiving an adequate number of sick leave days for the illness, The Coordinator shall take care to monitor and ensure that no abuses will occur in the transfer of sick leave days due to catastrophic circumstances. The SLB Committee may appoint a member of the SLB as a Coordinator.
- 9. Voluntary Donations:** Donation of days to a beneficiary employee shall be solely at the discretion of the participating member of the SLB. An employee donating catastrophic sick leave days shall be clearly informed that the days so donated shall not be repaid if used by the beneficiary employee. However, any days donated for catastrophic purposes which are not used by the beneficiary employee shall revert to the employee making the donation. If donated days are partially, but not completely used, the days shall revert to the donating employees in a proportionate manner, odd days reverting by lot; however, the SLB Committee shall be the final authority in determining the reversion of days to the donors of unused days. Any such reversion of unused donated days shall not occur until the expiration of 30 days after the beneficiary employee has returned to work.