

SICK LEAVE BANK

The Lafayette Parish School Board recognizes that major illnesses and catastrophic injuries may warrant the need for additional sick leave by an employee. The Board shall create and maintain a *Sick Leave Bank* which provides an opportunity for employees to donate sick leave days, which in turn may be used by employees in emergency situations when their own sick leave days have been exhausted. Employees shall receive 65% of their daily rate of pay while using sick leave bank days.

Donations of sick leave days shall be made to the Sick Leave Bank or directly to individual employees; shall be made by notarized *Acts of Donation*; and shall be made in accordance with other provisions of this policy. Once executed, any donation made shall be *irrevocable*.

Receipt of sick leave days from the Sick Leave Bank shall be based on a written application submitted by a regular, full-time employee to the Superintendent and/or his/her designee. Assessment and any decisions regarding the granting of days from the Sick Leave Bank shall be the responsibility of the Superintendent. His/her decisions shall be *final*, and such decisions shall not be subject to review by the School Board or subject to the Board's grievance procedures.

ADMINISTRATION OF SICK LEAVE BANK

Donations of sick leave days shall be made directly to the Sick Leave Bank and may be designated for an individual employee who has applied to the bank for a donation of days. Three (3) separate accounts shall be established within the Sick Leave Bank: one for teachers, one for bus operators, and one for all other school district employees. Donations to the Sick Leave Bank shall be credited to the appropriate account depending on the classification of the donor.

Applications for receipt of donated sick leave days from the Sick Leave Bank shall be in writing and include a statement from a licensed physician certifying a **medical necessity** for the employee to be absent from work. The application shall be submitted at least twenty (20) work days prior to the anticipated beginning date of leave. In cases of extenuating circumstances, the Superintendent may waive or alter the application deadline. Upon review of the applications, if questions about the validity or accuracy of the certification arise, the Superintendent may require additional medical certification as outlined under *Extended Sick Leave* in policy *GBRIB, Sick Leave*.

Medical necessity shall be the result of a catastrophic illness or injury, which means a life-threatening, chronic, or incapacitating condition of the employee. *Catastrophic illness or injury* shall mean a severe condition, or combination of conditions, that (a)

affect the physical or mental health of the employee; (b) result in a life-threatening or life function altering condition that prevents the employee from being actively employed; and (c) require an absence from work for a minimum of ten (10) consecutive work days.

All records generated in the administration of the Sick Leave Bank, as well as the confidentiality of applicable records, shall be properly maintained by the Superintendent and staff in accordance with statutory provisions.

In order to be eligible to apply for days from the Sick Leave Bank, an employee must first become a member of the bank by donating at least one (1) day to the bank from his or her accumulated sick leave.

An employee receiving indemnity benefits under workers' compensation is not eligible to receive days from the Sick Leave Bank. An employee receiving disability benefits from a group disability plan and/or an individually-purchased disability plan is not eligible to receive days from the Sick Leave Bank.

Donor Eligibility

1. Employees who wish to donate accrued sick leave days shall have been actively employed by the School Board for a period of thirty-six (36) consecutive months as of the date of the intended donation.
2. Only employees with a balance of more than thirty (30) sick leave days as of the date of the intended donation shall be permitted to donate to the Sick Leave Bank. No donation shall be permitted which causes the donor's sick leave balance to fall below thirty (30) days. A maximum of ten (10) days may be donated in a fiscal year. An individual may make only one (1) donation in a fiscal year.
3. Employees wishing to donate sick leave shall complete the appropriate *Act of Donation Form*. The donation shall irrevocably relinquish all future claims and rights to such donated sick leave. The days donated shall be permanently deducted from the total number of accumulated sick leave days the employee has on the date the donation is approved.
4. All donations shall be strictly voluntary.
5. No transfer shall become valid until all forms, verifications and signatures have been completed and signed by the Superintendent.
6. All donations shall be in units of whole days.

Recipient Eligibility

1. Recipients shall be regular, full-time employees of the Lafayette Parish School Board at the time that medical necessity is determined.
2. Recipients shall have been employed by the School Board for at least thirty-six (36) consecutive months as of the date of request for intended usage and cannot be granted intermittent daily leave (leave in increments of fewer than ten (10) days). Bank days may only be used when an illness requires an eligible recipient to miss a minimum of ten (10) days.
3. Employees who are recipients shall have exhausted all current and accumulated sick leave and have used all days of extended sick leave and any other paid leave which the employee has earned and to which he may be entitled, including medical sabbatical in cases where the disability extends to a full semester. In addition, those employees who receive annual leave shall have exhausted all annual leave time before becoming eligible to receive sick leave days from the Sick Leave Bank.
4. The maximum number of sick leave days that may be granted to a recipient at one time shall be twenty (20) work days. Sick leave bank days shall be granted only for the duration of the school year or fiscal year, depending on the employee's work schedule.
5. Of those days granted, any remaining unused at the end of the fiscal year shall be returned to the Sick Leave Bank. Once the recipient returns to work, any remaining unused donated days shall be returned to the Sick Leave Bank. Donated sick leave days shall not be cashed in for severance pay at retirement or used in lieu of days that may become available once the employee resumes working after a break of active employment. The Superintendent must approve the granting of any additional bank days once previously-granted bank days are exhausted.
6. A separate application shall be submitted for each occasion that an employee may request receipt of sick leave days from the Sick Leave Bank. Each application shall include necessary documentation attesting to medical necessity. The physician's certification must address circumstances relative to each separate request. The separate application requirement may be waived by the Superintendent as circumstances may warrant.

Miscellaneous Provisions

1. The Superintendent shall be authorized to make determinations and clarifications of these provisions. All determinations and clarifications made by

the Superintendent shall be **final**.

2. All transactions shall become part of the permanent personnel files of the employees. *Act of Donation Forms* shall be placed in donor personnel files depicting the actual number of days deducted from accrued sick leave days on file after the donation is made.
3. The number of days withdrawn from the Sick Leave Bank shall not exceed the number of days available within the appropriate account of the Bank.
4. In no case shall the granting of leave from the Sick Leave Bank cause an employee to receive more than his or her annual base pay.

Adopted: 11/1/1995
Revised: 4/3/1996
Revised: 4/2/1997
Revised: 1/2/2002
Revised: 10/15/2003
Revised: 2/6/2013

Ref: La. Rev. Stat. Ann. 17:81, 17:500.2, 17:1202, 17:1205, 17:1206.2; La. Civil Code, Art. 1541, 1542, 1833; Board minutes, 11-1-95, 4-3-96, 4-2-97, 1-2-02, 10-15-03.