

# Rules and Regulations

## AEA Sick Leave Bank

### CONDITIONS RELATED TO SICK LEAVE BANK WITHDRAWALS

#### A. MEMBERSHIP

1. All employees who are represented by the Anchorage Education Association who have contributed to the AEA Sick Leave Bank each fiscal year, or as required by their negotiated agreement, are members of the bank and eligible for participation. In any event, no continuing member of the sick leave bank shall be denied access to the sick leave bank at the beginning of the new fiscal year.

2. Anyone electing not to join the sick leave bank must complete a Membership Refusal Form (Personnel Form #507) within fifteen (15) calendar days after their reporting date. Current members electing to join or withdraw from the Bank will inform Talent Management in writing during the annual open enrollment period of September 1-15. Anyone who has previously opted out of sick leave bank participation, and returns to participate in the sick leave bank, will become eligible for an award from the sick leave bank during their second year of continuous participation in the bank.

3. The one-half (1/2) day contribution to the bank will occur automatically through payroll deduction during the first sixty (60) calendar days of each school year, or during the first sixty (60) calendar days of employment in each school year unless otherwise specified in the negotiated agreement.

4. In the event the balance in the sick leave bank exceeds 5000 days at the beginning of any school year, the one-half (1/2) day contribution to the bank in A.3. will be deferred, except for new employees, for that school year, until such time during the year that the balance in the bank falls below 2000 days. In that event, an additional contribution of one-half (1/2) day shall be assessed against each member of the bank even if a one-half (1/2) day contribution was taken at the beginning of the school year.

5. Sick leave days from the bank may only be requested by members for District-approved sick leave when all accumulated leave, including sick days and personal leave days have been exhausted as specified in the negotiated agreement.

6. Unused sick leave donated to the bank in any school year shall be cumulative from year to year.

7. The association and the district shall work cooperatively to inform retiring members regarding the procedures for donating unused sick leave to the sick leave bank.

#### B. ELIGIBILITY

1. Employees represented by the Anchorage Education Association may apply to the sick leave bank provided they meet the following criteria: A) they are members of the sick

leave bank; B) use of sick leave is exclusively for the member's personal illness; C) the member has experienced a prolonged absence of at least five (5) *consecutive* school days; and D) applications to the sick leave bank will be considered provided they are supported by a statement from a physician (MD, DO, D.P.M.) or licensed nurse practitioner. The physician's statement must support reasons for absence from work. Signed statements by mid-level practitioners, such as physician's assistant or midwife, will not be accepted as a physician's signature.

2. Sick leave bank members must apply for a bank award within thirty (30) working days after returning to work or prior to termination, whichever is sooner.

3. Medical procedures that are elective in nature or that can reasonably occur outside the member's normal work schedule are not eligible for sick leave bank awards. Members accessing sick leave bank withdrawals are expected to utilize the nearest medical services. The committee may require the applicant to provide a detailed medical evaluation from a second physician.

Intermittent absences for therapy or treatment related to a previous illness will be considered on an individual basis provided that the request meets the above criteria.

4. For purposes of sick leave bank eligibility, accrued sick leave shall be considered to mean sick leave accrued as of June 30.

5. Each application may or may not be approved based on a physician's statement of need and sick leave bank rules and regulations. The committee may require the applicant to provide a detailed medical diagnosis from a second physician/specialist.

#### 6. Workers' Compensation

Sick leave days will NOT be granted from the bank if workers' compensation benefits are received from the district by the member for the same condition. If workers' compensation benefits have been requested for the condition but not yet approved, the application to the bank will not be submitted to the sick leave bank committee until the resolution of the workers' compensation claim.

### C. APPLICATION

1. All requests for sick leave drawn from the Bank must be made on a Sick Leave Bank Application (Human Resources Form #1385). The complete application packet and instructions may be obtained from the Forms & Publications library on the ASD intranet. The forms may also be picked up from the Leave Specialist in the Benefits Department at the ASD Education Center. PART (A) is to be completed by the applicant and PART (B) completed by a physician (M.D., D.O., or D.P.M.), or licensed nurse practitioner.

2. Conditions/complications related to childbirth shall be considered the same as any other medical condition. Sick Leave Bank awards related to childbirth will be for a medically necessary recovery period.

3. A diagnosis of emotional or mental illness/stress must be completed by a psychiatrist or psychiatric nurse practitioner.

4. Any member who applies to the sick leave bank may be eligible to receive up to a maximum of twice the number of accrued leave days according to B.4., or twenty-four (24) days, whichever is greater for the current school year. *Eligibility does not guarantee a member an award of paid leave.*

**Example #1:**      Accrued leave days as of  
                  June 30                               =       20  
                  Multiply by 2                    x       2  
                  Available from Bank for year =       40 days

**Example #2:**      Accrued leave days as of  
                  June 30                               =       9  
                  Multiply by 2                    x       2  
                  Available from Bank for year =       18 24 days

***The above examples are maximums.***

Based on the above Example #2, an applicant requesting twenty-four (24) days from the sick leave bank may receive an award ranging from zero (0) up to no more than twenty-four (24) days.

## **WITHDRAWAL REQUESTS FOR CATASTROPHIC ILLNESS**

### **A. MEMBERSHIP**

Requirements are the same as for sick leave requests.

### **B. ELIGIBILITY**

1. A bank member with a severe illness may be eligible for an additional Catastrophic Sick Leave Bank withdrawal. To qualify, the member must have exhausted the maximum eligibility for sick leave withdrawals from the bank. Catastrophic leave may be awarded for conditions related to pregnancy and childbirth only in cases of severe medical complications.

### **C. APPLICATION**

1. The complete application packet and instructions may be obtained from the Forms & Publications library on the ASD intranet. The forms may also be picked up from the Leave Specialist in the Benefits Department at the ASD Education Center. Separate application for catastrophic sick leave must be made on the Leave Bank Application form (#1385). PART A must be completed by the applicant or the applicant's representative, with the box indicating 'Catastrophic Leave Bank Request' checked, and PART B completed by a physician specializing in area of diagnosis giving sufficient detail to allow the sick leave bank committee to properly assess the severity of the illness. If deemed

necessary, the committee may require the applicant to provide a detailed medical evaluation from a second physician.

2. Once the application has been approved by the committee, the number of catastrophic leave days granted for that school year will be limited to a maximum of forty (40) days.

3. The applicant may apply to the sick leave bank and catastrophic sick leave bank for only two years in any four consecutive year period for the same illness.

## **SICK LEAVE BANK COMMITTEE PROCEDURES**

1. A sick leave bank committee has been established to review applications and approve or deny requests for withdrawals from the bank. The committee consists of five (5) members representing and appointed by AEA, and one (1) district representative appointed by the district. There shall also be one AEA member appointed as a “recognized alternate” member who may vote in the absence of a regular committee member. Four committee members shall constitute a quorum for action on sick leave bank applications. Membership in and proceedings of the sick leave bank committee are strictly confidential.

2. The committee shall, at the first sick leave bank meeting of the school year, select a chairman to convene and conduct meetings, and to handle committee procedures.

3. The committee shall hold such meetings each month during the school year as necessary to respond to requests for sick leave bank withdrawals.

4. In evaluating a particular request for sick leave bank withdrawal, the committee may consult with appropriate specialists. The committee may request a reapplication with an updated physician’s report on a monthly or periodic basis for long-term requests.

5. The committee shall exercise reasonable discretion in granting or denying requests for sick leave bank withdrawals and shall give due consideration to, but not be bound by, the verification required under Sections A and B.

6. A decision may be appealed by the applicant. The committee shall reserve the right to review and reconsider the decision upon receipt of additional medical information at the next regularly scheduled sick leave bank meeting. Review and reconsideration decisions of the committee are final.

7. A member will not be reimbursed from the bank for unpaid leave days until the application has been approved by the committee and processed by payroll.

8. The district administrator/representative of the sick leave bank will compile and make available to the committee records tracking usage of the sick leave bank.

9. The committee chairperson and district representative will make available to the AEA members, via the AEA President, an accounting of sick leave bank and catastrophic sick leave bank days utilized. This will be done at quarterly intervals.