

SICK LEAVE BANK

A. Generally

The Westmoreland County School Board maintains a sick leave bank for school division employees. To be eligible to participate in the sick leave bank (the bank), an employee must be employed full-time (defined as an average of 30+ hours per week) with the school division. In order for the school division to maintain the sick leave bank, a minimum of one third of the eligible employees must participate as members of the bank.

In order to access sick leave from the bank, an employee who is a member of the bank must be personally suffering from a catastrophic or prolonged illness or injury and must have exhausted all of the employee's own sick, personal, and annual leave. Access to the sick leave bank does not extend to illness, injury, or death of a family member.

B. Eligibility for Membership

Membership in the sick leave bank is voluntary and open to all full-time employees.

C. Enrollment

A full-time employee may become a member of the bank by completing a Sick Leave Bank Membership Application and by contributing two days of sick leave to the bank. The open enrollment window is from October 1 through October 31. Full-time employees hired after the open enrollment window may join the bank within (10) calendar days of employment or wait for an open enrollment.

An employee must be enrolled in the sick leave bank for three full consecutive contractual months prior to becoming eligible to access days from the bank.

Once enrolled, membership in the bank is continuous so long as the employee remains employed full-time by the school division unless the employee sends written notification to the sick leave bank administrator during the next open enrollment window of the employee's intent to withdraw from participation in the bank.

D. Application for Use of Sick Leave Bank Benefits

A member of the sick leave bank who wishes to access leave from the bank, and who has fulfilled the required three-month waiting period, will submit a written request for leave from the bank. A physician's statement, certifying the employee is unable to perform his/her duties due to illness or injury and the anticipated length of the employee's absence, is required before a member can

access leave from the bank. This certification must be submitted in writing to the Superintendent or his designee.

A member of the bank will not be able to access leave from the bank until all of the employee's own accumulated sick, personal, and annual leave has been exhausted, and the employee has been on leave status for thirty (30) days. This is known as a 30-day elimination period. These first thirty (30) days must be covered by the employee's accumulated leave or leave without pay.

A maximum of forty-five (45) full or partial sick leave days during a rolling twelve-month period can be drawn from the bank by any one member. Days drawn from the bank must be used consecutively.

If, within thirty (30) calendar days of returning to work, the employee suffers a complication from, or recurrence or relapse that can be traced back to the original illness or injury, as confirmed by a statement from the treating physician, the employee will not be required to meet another 30-day elimination period before being permitted to access the bank a second time. However, if the employee has exhausted the 45 full- or partial-day maximum sick leave bank days, the employee is not eligible for additional leave from the bank for another rolling twelve-month period. If the employee has not yet exhausted the 45 full- or partial-day maximum, the employee is eligible only to use whatever leave the employee has remaining up to the 45-day maximum. Days used from the bank must, again, be used consecutively.

A member using days from the bank will not be required to replace days drawn from the bank, except as a regular contributing member.

E. Assessment

Each member of the sick leave bank will be assessed an additional day of sick leave when the total number of days in the bank drops below 300. Notification of assessment will be sent to each member at the time it is deemed necessary.

A member who has no sick leave to contribute at the time of assessment will be assessed this day from the first sick leave day subsequently earned.

F. Donation of Sick Leave

Any employee who retires under the provisions set forth by the Virginia Retirement System may contribute any or all unused sick leave to the Westmoreland County School Division sick leave bank.

Employees may not donate leave to a specific individual. Any and all donations of leave must be made to the bank.

G. Termination

Upon termination of employment or withdrawal of membership from the sick leave bank, an employee will not be permitted to withdraw, or be paid for, his or her contributed days.

The School Board may terminate the sick leave bank at any time. In the event the sick leave bank is terminated, members of the bank at the time of termination will be credited with the number of sick leave days they contributed to the sick leave bank on a prorated basis.

H. Carry-Over

The sick leave bank will carry over its total days from one school year to the next. The sick leave bank administrator will provide the Superintendent and each participating member of the bank with a status report indicating the number of active members and the number of days available in the bank by November 10 of each year.

I. Unauthorized Use

An employee who uses leave in an unauthorized manner that is inconsistent with School Board policies and regulations may be subject to disciplinary action including loss of pay, reprimand, termination of employment, or other action deemed appropriate by the Superintendent or his designee.

Adopted: March 19, 2018