

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: March 9, 2010

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **CONSIDERATION OF THE PROPOSED DELETION OF POLICY
4271 – SICK LEAVE BANK UNIT 3 – SUPERVISORY/
TECHNICAL**

ORIGINATOR: J. Robert Haines, Esq., Deputy Superintendent

**RESOURCE
PERSON(S):** Donald Peccia, Assistant Superintendent, Human Resources

RECOMMENDATION

That the Board of Education approves the proposed deletion of Policy 4271.
This is the third reading.

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Attachment I – Policy Analysis
Attachment II – Policy 4271

**Policy Analysis for
Board of Education Policy 4271
Sick Leave Bank Unit 3 – Supervisory/Technical**

Statement of Issues or Questions Addressed

Board of Education Policy 4271 describes the procedures for the operation of the sick leave bank. Because the procedures have been negotiated with the employee collective bargaining organizations and are included in the Master Agreements, this policy is no longer needed and may be deleted.

Cost Analysis and Fiscal Impact on School System

No fiscal impact is anticipated by the deletion of this policy.

Relationship to Other Board of Education Policies

None

Legal Requirements

None

Similar Policies Adopted by Other Local School Systems

None

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

None

Timeline

First Reading – January 26, 2010

Public Comment – February 9, 2010

Third Reading/Vote – March 9, 2010

PERSONNEL: Classified

Sick Leave Bank Unit 3- Supervisory/Technical

The purpose of the Sick Leave Bank is to provide sick leave to contributors to the bank after the member's accumulative sick leave has been exhausted.

The definition of sick leave shall be that leave that is granted to an employee who through personal catastrophic illness, injury, or quarantine is unable to perform the duties of his or her position. Sick leave from the bank may not be granted for the period of disability when monies are paid to the employee under Workmen's Compensation Law.

A three-member approval committee, consisting of members appointed by the Superintendent, shall have the responsibility of receiving requests, verifying the validity of requests, approving or denying requests, and communicating its decision to the member.

The Director of Personnel shall verify bank grants as being within the limits of the bank balance that the illness is of a catastrophic nature and that sick leave is exhausted. Requests meeting the above criteria will be approved and forwarded to the Office of Payroll as authorization for payment.

The bank may be used only by the individual contributor for his or her personal disability.

The bank may not be used for disabilities of other members of the contributor's family.

The bank may not be used by the contributor to remain away from his or her position in order to assist a member of his or her family who is ill.

Only earned sick leave may be contributed to the bank; vacation and personal may not be contributed.

Contributions can be made between July 1 and September 30 of any given year. Employees returning from leave will be permitted to contribute to the bank on approval from the committee. Eligible employees who do not elect to join the Sick Leave Bank at the first opportunity afforded to them will not be permitted to join the Bank until the subsequent annual open enrollment period. New employees will not be eligible to join during their first two years of employment. An employee may join the sick leave bank only after having accumulated 30 days of sick leave.

The rate of contribution for members shall be based on the following schedule:

- 30 to 120 days of accumulated sick leave.....2 days
- 121 to 180 days of accumulated sick leave.....1 ½ days
- 181 or more days accumulated sick leave.....1 day

The initial contribution to the bank will be made at the time of joining the bank, and future contributions will be based on need as recommended by the Sick Leave Bank and agreed upon by the Superintendent.

Contributors must use all accumulated and anticipated sick leave before applying for leave from the bank. The total time a person may draw on the Sick Leave Bank is two (2) months in any fiscal year, including duty-days, holidays, and vacation days but does not include the other days the employee does not normally work.

A contributor will lose the right to utilize the benefits of the bank only by:

- a. Termination or suspension of employment in the Baltimore County Public Schools
- b. Cancellation of participation by the member on the proper form at any time
- c. Absence while on approved leave
- d. Transfer to a position of another unit within the school system

The existence of the bank and participation by an employee in the bank does not negate or eliminate the rights of the individual employees who participate in the bank to other sick leave benefits as specified in this Agreement.

All donations will remain in force and cannot be returned even upon cancellation of membership.

Members shall be permitted to use the bank for personal illness after sick leave is exhausted. The bank can be used on the sixth duty day of absence during the member's disability. The five (5) day deductible will apply to each disability but will be waived for relapses of the same disability. The maximum number of sick days that can be granted in any one (1) fiscal year will be the remaining number of duty days a member is scheduled to work plus included holidays or vacation days they would normally accrue during this period. In no case will the granting of leave from the bank cause a member to receive more than his or her annual salary.

POLICY 4271

The number of accumulated sick leave days is available to a member at any time for any purpose will not include the number of days which the employee has contributed to the bank.

All unused sick leave days in the bank at the end of the fiscal year shall be carried over to the next fiscal year.

An individual eligible for disability retirement may not use the provision of sick leave bank to postpone that retirement.

If the provisions of the sick leave bank should be terminated, the bank balance shall be returned to the then current members of said bank proportional to the rate collected in the last assessment, excluding those individuals who have utilized said bank in the last three (3) years.

Policy
Approved: 1/23/86]

Board of Education of Baltimore County