



GALLUP MCKINLEY COUNTY SCHOOLS

SICK LEAVE BANK

POLICY AND PROCEDURES

SECTION I- PREAMBLE:

Situations occur where school employees experience serious illness or accidents and have used all of their leave and have no other source of support. Friends and colleagues have often offered to volunteer their sick leave days but there was no proper way this could be done. Therefore, the intent of the Sick Leave Bank is to provide an official vehicle for the provision of relief for individual district employees experiencing a catastrophic illness or serious accident. **The Sick Leave Bank does not apply to leave needed to care for relatives of GMCS employees.**

SECTION II- DEFINITIONS:

- 1) Sick Leave Bank- A bank formed by the voluntary contribution of accrued sick leave days by employees for employees to provide additional sick leave when an illness or serious accident occurs that requires extended hospitalization and/or home confinement equal to or in excess of 10 working days. All available sick leave, personal leave, annual leave and Paid Time Off (PTO) must be exhausted before days from the Sick Leave Bank may be utilized. However, application to the Sick Leave Bank needs to be made before available sick leave is used up.
- 2) Catastrophic Illness- An illness not consistent with ordinary illness, i.e. cancer, heart attack, stroke, major surgery and requiring absence from employment equal to or in excess of 10 working days.
- 3) Disability- Illness, accident or injury disabling an individual from employment equal to or in excess of 10 working days.
- 4) Serious Accident- Accident requiring extensive and intensive hospitalization or at home care and disabling the employee from performing his/her work duties equal to or in excess of 10 working days.

SECTION III- ELIGIBILITY:

- 1) An employee must voluntarily contribute 1 day of available sick leave or PTO to the Bank to participate in the Bank.

- 2) Employees who would like to join the Sick Leave Bank may do so on their first anniversary or annually on the anniversary of employment by donating a day of accrued sick leave or PTO within 30 days following their anniversary date to the Bank.
- 3) Returning employees will not need to donate another day of sick leave unless the Sick Leave Bank runs below 425 days. If there is a recall for additional days, all employees wishing to remain a member of the Sick Leave Bank must contribute a day in order to maintain their membership. During a recall, open enrollment is available to all non-members who have at least one year of employment and at least 1 day of sick leave or PTO available.
- 4) The employee will not receive double reimbursement. If the employee will receive another form of reimbursement such as a liability lawsuit award, disability retirement, worker's compensation, etc., then the employee is not eligible for Sick Leave Bank days. If the employee has already been awarded days and received other reimbursement, the employee agrees to repay the school district for the days awarded.
- 5) All available leave must be used by an employee to be eligible to receive days from the Bank.
- 6) The applicant must be experiencing a catastrophic illness, a disability or a serious accident as defined above, in Section II.
- 7) Part- time contractual staff shall be eligible for Sick Leave Bank participation if they work 20 hours or more per week and have at least 1 day of sick leave/ PTO available to donate.
- 8) Employees on a leave of absence as defined in the Gallup McKinley County School policy, lose their status as Sick Leave Bank members and are thus are not eligible to participate in the Sick Leave Bank. Members returning from a leave of absence who do not have accumulated sick leave/PTO will need to earn and then donate another day to the Sick Leave Bank to be reinstated.

SECTION IV- EXCLUSIONS:

Employees experiencing the following are not eligible to receive days from the Sick Leave Bank:

- 1) Routine pregnancy with normal delivery with no pre and/or post complications.
- 2) Unusual and catastrophic personal illness or injury may be defined to exclude recurring or congenital conditions which would lead to an employee's inability to fulfill his/her contractual obligations on a continual basis.

SECTION V- ADMINISTRATION OF THE SICK LEAVE BANK:

- 1) The Sick Leave Bank Committee will be comprised of five employees eligible for Sick Leave Bank membership; one (1) GMCS administrator, two (2) classified employees, one (1) certified employee and a GMCS registered nurse. The Associate Superintendent of Business and Personnel will appoint employees to serve on the committee.
- 2) The Sick Leave Bank committee members shall serve a two year term. In the event any member of the committee is unable to complete their term, a replacement shall be named in the same manner as the original but the replacement member shall serve only the length of the original unexpired term. Sick Leave Bank committee members must resign their post if they need to make a personal application to the Sick Leave Bank. Sick Leave Bank committee members may extend their service for an additional term by indicting this in writing to the Associate Superintendent of Business and Personnel.
- 3) In recognition of services rendered, the members of the Sick Leave Bank committee shall automatically be eligible for making application for Sick Leave Bank days without contribution of personal sick leave or PTO days to the Bank.
- 4) The Sick Leave Bank committee is to develop guidelines for the distribution of sick leave from the Sick Leave Bank. These guidelines are to be shared with the Executive Leadership Team. The guidelines will be reviewed annually by the Sick Leave Bank committee.
- 5) The Sick Leave Bank committee will meet as needed on the second Friday of each month during the school year to review any/all applications. In the event that the Sick Leave Bank committee is unable to meet to timely consider a request, the Associate Superintendent of Business and Personnel, Director of Personnel and designated Personnel staff may meet to consider granting enough Sick Leave Bank days to cover the employees leave until the Sick Leave Bank committee can meet and fully consider the application(s).
- 6) The approved applications shall be subject to review by the Sick Leave Bank committee to assure all guidelines are being followed. If the committee finds that an employee is not complying with the guidelines, the requested leave will be terminated. In addition, the membership privileges may be revoked and the employee may be held responsible for repaying any misused sick leave days.
- 7) The decision of the committee shall be final and not subject to a grievance procedure.
- 8) A quorum of at least 3 Sick Leave Bank committee members must be present in order to decide matters relating to Sick Leave Bank applications.

SECTION VI- OTHER CONDITIONS:

- 1) The maximum number of initial days covered by the Sick Leave Bank is 60 days. Extensions may be granted by submitting updated physicians statements. Grand total allowance will not exceed the applicant's number of days in the contract year per illness.
- 2) Days from the Bank may be drawn only for those days of the year identified as work days in the employee's contract.
- 3) Employee contributions of sick leave days to the Sick Leave Bank are irretrievable.
- 4) The contribution of sick leave days will be made by completing the "Contribution to Sick Leave Bank" form.
- 5) The Sick Leave Bank committee reserves the right to require a second opinion or additional documentation from a physician.
- 6) Requests for days from the Sick Leave Bank for maternity due to pre-delivery and post-delivery complications will be considered if the condition requires hospitalization. Routine C-sections and deliveries are not considered a complication.
- 7) Mental health and alcohol/drug dependency applications from members under the care of a licensed physician/ licensed clinical psychologist must be accompanied by the physician's statement which would include a brief outline of the therapeutic treatment plan that will be followed by the patient during the leave. A progress report must be submitted by the physician based on the treatment plan within 30 days for the committee's review.
- 8) Incomplete applications will not be considered.

SECTION VII- APPLICATION PROCESS

Sick Leave Bank applications can be found on the GMCS website, under the Personnel tab.
www.gmcs.k12.nm.us

Applications and all supporting documents must be received by the Personnel Office by the second Thursday of the month by 5:00 pm.