

## **SICK LEAVE BANK**

The School Board of Bath County will maintain a Sick Leave Bank for the use of eligible employees. Participating members may utilize the service whenever they are incapacitated by long-term PERSONAL illness or injury upon the approval of the Superintendent and contingent upon meeting the following requirements and stipulations:

- 1) All full-time employees may participate.
- 2) Membership in the Sick Leave Bank is voluntary.
- 3) Sick Leave Bank may only be used for applicant's own personal illness or injury.
- 4) The membership period is the first fifteen (15) days of September or during the first fifteen (15) days of employment for personnel employed after the month of September. An initial waiting period of six (6) months from enrollment is required before making an application to the bank.
- 5) One enrolls for initial membership by completing the prescribed application and contributing two (2) sick leave days to the bank. The members in the bank shall be assessed an additional day (or days) of sick leave when the bank balance is reduced below 100 days. Assessment notification shall be forwarded to participating members by the school system and notification of such assessment shall be sent to each member at the time it is determined to be necessary. The assessment shall be made unless the participant chooses to cease membership in the bank. A member may terminate membership in the bank by sending a written statement to the School Board Office within fifteen (15) calendar days from the date of notice. A member who has no sick leave to contribute at the time of assessment shall be assessed the first leave day subsequently accumulated. An eligible member that preferred not to exercise the opportunity of participating in the bank during the initial membership drive may not join until the following school year and only then if a pre-existing physical or mental handicap of disability does not exist.
- 6) A member of the bank will not be able to utilize the Sick Leave Bank benefits until all his/her accumulated sick and personal leave are exhausted. Application should be submitted no later than ten (10) working days after leave has been exhausted.
- 7) Leave from the bank may not be used for disabilities which qualify the member for Virginia Local Disability Program (VLDP) or Workers' Compensation benefits, unless the member has exhausted all Virginia Local Disability Program (VLDP) or Workers' Compensation leave and/or insurance benefits. (Cases pending will not be paid until resolution of such cases.)
- 8) The Sick Leave Bank may not be utilized to extend leave beyond that which qualifies for Family and Medical Leave Act.
- 9) The Sick Leave Bank may not be utilized for normal maternity leave, only for leave for medical complications resulting from deliveries that require additional hospitalization and recovery. A doctor's certification to this effect is necessary.
- 10) Requests for sick bank days for surgery that can be performed in the summer will be denied unless the doctor certifies that the surgery must be performed during school year.
- 11) A maximum of forty-five (45) working days from the bank may be utilized each year (July 1 – June 30) by any participating member.
- 12) For the participating member to be eligible to receive sick leave benefits, a doctor's certification is required. This certificate is to be submitted to the School Board Office and must contain the nature of illness or disability, a statement that is a long term illness or injury, a statement that the member is unable to work as a result of the illness or disability and the approximate length of absence. If the member suffers a recurrence of the same illness or disability or condition that resulted directly from the condition that required initial utilization of the Sick Leave Bank benefits, and has not received the maximum number of days, forty-five (45) for one school year (July 1 – June 30), they may use the remaining days left from that

- year. A doctor's certification is not required if an employee has completed Family and Medical Leave Act paperwork.
- 13) Any recipient of Sick Leave Bank benefits shall not be required to replace those days used except as a contributing member in the assessment process described in the above conditions.
  - 14) An individual that ends his/her participation in the sick leave bank may re-enroll according to the established enrollment period (see Item 4) and the assessment of two sick days. If an employee chooses to terminate participation, initial enrollment days and additional assessment days are forfeited and will not be returned to the employee's leave balance.
  - 15) The Sick Leave Bank will be administered by the Superintendent or the Superintendent's designee. Sick leave bank days will be awarded contingent upon the applicant meeting all requirements and stipulations. The School Board will be advised of all decisions and reserves the right to support or overrule such decisions. An applicant may appeal a decision to the Bath County School Board, whose decision shall be final.
  - 16) If the Sick Leave Bank becomes inoperative for any reason, the sick leave day's balance shall first be distributed to those members receiving benefits. From the remaining balance, sick days will be credited to the nearest one-half day to each participating member if a sufficient number of days exist. If a sufficient balance does not exist the bank shall be terminated. The School Board shall not be held responsible to anyone then eligible or who may be or become eligible to participate in the bank.

Adopted: November 7, 2000;

Revised: March 4, 2003; April 1, 2003; June 26, 2003; March 2, 2004; August 3, 2004; June 7, 2005;  
October 26, 2006; September 6, 2016; April 4, 2023