Sick Leave Bank Handbook
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Introduction

The District has established a Sick Leave Bank (SLB) Program to benefit employees. It will be governed by the following guidelines.

Definitions

Sick Leave Bank

The SLB is a pool of local days contributed by employees to be used by members of the bank who suffer a qualifying catastrophic/chronic health condition that extends beyond their own accumulated vacation, local, and state days. The SLB may also be used by an SLB member to tend to the needs of a qualifying family member with a catastrophic/chronic physical or mental health condition when there is no other family member to care for him or her.

Catastrophic / Chronic Physical or Mental Health Condition

A “catastrophic/chronic physical or mental health condition” is defined as a life-threatening illness, injury, or impairment that will result in an employee’s temporary or permanent incapacity to perform his or her job functions for an extended period of time or for a qualifying family member’s temporary or permanent incapacity for an extended period of time. Examples of such catastrophic/chronic physical or mental health conditions include cancer, heart disease, multiple sclerosis, stroke, muscular dystrophy, diabetes, rheumatoid arthritis, organ transplants, and the like.

Examples of conditions not considered catastrophic/chronic include pregnancy or hysterectomy, hip replacement, knee replacement, unless the condition becomes life threatening.

Family

The term “immediate family” will include:

1. Spouse.
2. Son or daughter, including a biological, adopted, or foster child, a current son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands in loco parentis.
3. Parent, stepparent, current parent-in-law, or other individual who stands in loco parentis to the employee.
5. Grandparent, grandchild, and spouse’s grandparent.
6. Any person who may be residing in the employee’s household at the time of illness or death.

SLB benefits are limited to the employee who has a qualifying family member with a catastrophic/chronic physical or mental health condition. A letter from the attending physician must certify the catastrophic/chronic physical or mental health condition.
Employee Eligibility

All District employees who qualify for sick leave benefits are automatically eligible to become members of their respective sick leave banks.

Eligibility for Use

Members must be on an approved FML or medical leave of absence (LOA) and have used all their available sick days, vacation, and annual personal days before applying for SLB days. Members must have been out more than 10 consecutive working days with the current catastrophic/chronic physical or mental health condition and be on an approved FML or medical leave of absence. If applying for SLB days to care for a qualifying family member’s catastrophic/chronic physical or mental health condition, the family member’s condition must have existed for 10 or more consecutive working days of the employee.

If an applicant’s incapacity is of such a nature that he or she cannot personally apply for SLB/ days, the application may be submitted on his or her behalf by an authorized agent or member of the SLB member’s family.

Enrollment

New hires or newly eligible employees may enroll in SLB when they enroll in their benefits program. Employees must enroll within 31 days of their actively-at-work (hire) date. The effective day of SLB membership will be the same as for other benefit elections (actively-at-work date or first of month following actively-at-work date).

Current employees can enroll in SLB membership during the annual benefits enrollment period that occurs each year. Current participants can elect to continue participation or can elect “no coverage” during this time. The effective date of the election is September 1 of the new benefits plan year. Participation will be in effect for the benefits plan year, which runs from September 1 through August 31. Employees electing “no coverage” can enroll only during the benefits enrollment period and are not eligible for membership at any other time during the school year.

Enrollment in the SLB is voluntary and automatically renews annually, unless “no coverage” is selected. Participants in the SLB donate one accrued local sick day per year to their respective banks.

Employees not electing to continue participation in the SLB (electing “no coverage” during benefits enrollment) will forfeit any days donated (and previous $1 administration fees) to their respective Sick Leave Banks.

Reapplying for SLB Days

If an SLB member uses the maximum number of SLB days during a rolling 12-month period, the member must be a current SLB member and must work 40 consecutive days after returning to active status before reapplying for SLB. A rolling 12-month period begins on the first day the employee is placed on an approved FML or Medical Leave of Absence status.
Minimum Bank Requirements

Each bank must maintain the following minimum days to be operational:

- Teacher and professional support — 400 days
- Support — 200 days
- Administrative — 200 days

Only employees who are members of the bank will be permitted to use the bank for regularly scheduled duty days for a qualifying catastrophic/chronic physical or mental health condition or to assist a family member with a qualifying catastrophic/chronic physical or mental health condition.

Sick Leave Bank Administration

The SLB member may initiate a request for benefits at any time provided they have exhausted all available paid time and they are on approved FML or medical leave of absence. The member request must be submitted within 31 days from the date the employee goes from a paid to an unpaid leave of absence status. If a request is received after the 31-day period and the request is approved, the effective date of the SLB grant will be when the application was received, not when the employee went on an unpaid leave status. There will be no retro-effective date for applications received after the 31-day period. Example: An employee goes on an unpaid approved leave effective October 20 and submits a request for sick days on December 10. If the request is approved, sick days would be granted from December 10, not October 20.

Application Process for SLB

Employees requesting SLB days will do so through Benefits Outlook. Employees can apply online through www.disdasyourservice.org or by calling Benefits Outlook at 1-866-840-3473 (DISD). If the employee is eligible for SLB days, he or she will receive the necessary application forms for completion in the leave approval packet.

Employees must complete Form I and have their physician complete Form II (Physician’s Statement).

All forms must be completed in their entirety. If any of the forms are incomplete, all forms will be returned to the applicant unprocessed. Any applications submitted that do not meet the definition of catastrophic/chronic physical or mental health condition as defined in this policy will be denied.

Completed application forms are forwarded to the medical reviewer for approval or denial of the requested SLB days. The decision of the medical reviewer will be rendered within ten business days and will be based on the employee application and medical information provided by the attending physician’s statement. The medical reviewer will notify the leave of absence administrator for the District of the approval or denial of the application. The leave of absence administrator will notify the employee via the notification method selected by the employee of the approval or denial of the application and, if approved, the number of SLB days approved.

Decisions by the medical reviewer to deny an application for use of the SLB, or an application for extension of such use, are final with no right of appeal. If additional information becomes available, a second application may be submitted.
SLB Extension

An approved current SLB participant may ask to extend his or her number of sick leave days before the current grant expires, by submitting a new application and attending physician’s statement. The application and attending physician’s statement will be reviewed by the medical reviewer and approved or denied. If additional SLB days are approved and the member does not use all of his or her approved SLB days, or in the event of the member’s death, any unused days will be returned to the respective SLB.

Reporting and Record Keeping

The leave of absence administrator will maintain records regarding the approval or denial of SLB applications. The leave of absence administrator will be responsible for notifying the employee and payroll of the approval, the number of sick leave days approved, and the commencement of those days.

The leave of absence administrator will report the status of the SLB at any time upon the request of the Superintendent of Schools or designee.

Guideline Changes

The Policy Review Committee is responsible for reviewing program guidelines and making recommendations for change to the program or SLB policy. Upon approval of the Superintendent of Schools or designee, the changes will become effective with the next plan year.

Maximum SLB Days Allowed

The maximum number of SLB days allowed to any member for his or her own catastrophic/chronic physical or mental health condition will be 30 days in a rolling 12-month period. SLB days will be paid at the employee’s regular rate of daily pay.

The maximum number of SLB days allowed for a qualifying family member’s catastrophic/chronic physical or mental health condition is 15 days in a rolling 12-month period. SLB days will be paid at the employee’s regular rate of daily pay. In no case will pay for sick days from the bank for either the employee’s personal catastrophic/chronic physical or mental health condition or that of a qualifying family member exceed the employee’s regular daily rate of pay.

Workers’ Compensation

SLB days may be used for disabilities that qualify for workers’ compensation benefits to supplement the wage benefit to the full amount, provided the member has exhausted his or her own sick and personal days. The combined total amount of payment from workers’ compensation and the SLB/days cannot exceed the employee’s regular daily rate of pay.

Medical information, including days granted and other correspondence, will be kept confidential unless the law requires its release.
Loss of SLB Benefits

A member lose the right to use SLB benefits due to:

- Death.
- Termination of employment with the District.
- Suspension without pay (no SLB benefits during the period of suspension).
- Any abuse or misuse of the rules of the SLB as determined by the leave administrator, and if determined, the employee will be required to reimburse the District for incurred costs.
- Being on an approved leave of absence other than FML or medical leave of absence.
- Failing to apply for disability or medical retirement when a physician has determined that the member will not likely return to work and will qualify for retirement.
- Failing to report immediately any job held for which the employee received remuneration during the period he or she was on SLB days.
- Electing No Coverage during the benefits enrollment period each spring (membership terminates August 31 of the current plan year).

Wartime Paid Leave

The military wartime leave program consists of paid leave days.

Employees on active duty during periods of wartime are entitled to receive supplemental pay. Upon receipt and verification of the required documentation, the District will supplement the employee’s pay using an offset formula. The offset formula will consist of subtracting the total monthly military salary (base pay plus additional pay such as housing allowance, combat pay, and other special pay) from the total monthly District salary. If a zero or negative number results, no supplement will be provided. If a positive number results, the supplement will equal the positive number. Payroll will reconcile the difference in pay rates, pay schedules, and pay frequency between the military and District. The offset formula will ensure the combined monthly wage of the employee is equal to the employee’s regular wages from the District. The military pay supplement will expire after one calendar year from the date the military leave began or when the active duty assignment ends, or whichever occurs first. The supplemental paid leave may be approved for one additional calendar year.

Eligibility for Wartime Leave

Employees seeking military wartime leave and benefits provided by the military wartime leave program must apply for leave online through disdatyourselfservice.org or by telephoning Benefits Outlook at 1-866-840-3473 (DISD) Applications and required documentation must be returned within the time frame specified. Upon reviewing the application, employees and their supervisors will be notified by the method specified of the approval or denial of the leave request and the commencement and duration of the leave.

Exceptions

Exceptions may be made to this handbook by the Superintendent of Schools or designee.
The Dallas Independent School District, as an equal opportunity educational provider and employer, does not discriminate on the basis of race, color, religion, sex, national origin, age, disability, sexual orientation, gender identity, gender expression, genetic information, or any other basis prohibited by law in educational programs or activities that it operates or in employment decisions. The District is required by Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and the Age Discrimination Act of 1975, as amended, as well as board policy not to discriminate in such a manner. (Not all prohibited bases apply to all programs.)

If you suspect discrimination please contact Mary McCants, Title VII or Title IX, at (972) 925-3250; Daphne LaMontagne, Section 504, at (972) 581-4238; Diedrae Bell-Hunter, Americans with Disabilities Act, at (972) 925-4287; or Employee Relations at (972) 925-4200. General questions about the District should be directed to Customer Service at (972) 925-5555.