

MEMORANDUM

To: Board of Trustees

Twin Falls School District 411

From: Eva Craner, Director of Public Relations

Re: Policy Updates

Date: September 9, 2019

Second Reading:

Administrative Updates:

5401P Sick Leave and Sick Leave Bank

5402 Personal Leave

5417 Maternity-Paternity-Adoption Leave

Leave that qualifies as sick leave is:

- 1) Absence prescribed by a physician for medical or diagnostic tests.
- 2) Absence due to death in the immediate family (limited to seven days), when not taken as bereavement leave. The term immediate family will be interpreted as child, spouse, significant other, parents, parents-in-law, siblings, grandparents, and grandchildren. (See Policy 5900, CBA, for bereavement leave for certified employees; Policy 5404 for bereavement leave for non-certified employees)
- 3) The superintendent may make judgments in favor of or denial of the use of sick leave by a district employee due to illness of a loved one whose relationship is not covered by exact policy language.

Sick Leave Banks

The Twin Falls School District currently maintains three sick leave banks. These are the Administrator Sick Leave Bank (ASLB), the Certified Sick Leave Bank (CSLB), and the Non-Certified Sick Leave Bank (NCSLB). The Certified Sick Leave Bank is found in the current Collective Bargaining agreement.

The purpose of the Sick Leave Bank is to provide for additional leave due to absences from work which extend beyond all of the employee's accumulated leave and is resulting from a major medical illness or injury. The Sick Leave Bank may be used for immediate family members (spouse, child, parent) facing a major medical illness or injury. The maximum number of days which may be granted in any one school year for immediate family members will be 30.

A major medical illness and/or injury is an acute or prolonged illness or injury that is considered life-threatening or with the threat of serious residual disability which results in the employee's inability to work. Examples of a major medical illness or injury include, but are not limited to:

- a. Serious, debilitating illness, impairment, or physical/mental condition that involves treatment in connection with an extended stay in a hospital, hospice, or residential medical facility.
- b. High intensity/high frequency of treatment encounters necessary for a chronic or long-term condition that is so serious, that if not treated, would likely result in an extended period of incapacity or death.
- c. Terminal illness. The Sick Leave Bank does not cover time off due to a job-incurred injury/illness covered by Worker's Compensation benefits.

The ASLB is as follows:

- 1) Each administrative employee of the District may participate in the ASLB. A minimum initial contribution of two sick leave days prior to November 1 will be required to become a Sick Leave Bank member. A threshold of 50 days will be

established in the Sick Leave Bank. When the total days available in the Sick Leave Bank falls below 50 the Sick Leave Bank Committee will equally assess each member additional days required to reestablish the 50 day threshold.

Sick leave days contributed will be deducted from the individual's previously accumulated sick leave. The contributed sick leave days will form a bank of sick leave days that will be available to all eligible administrators whose absence from work is due to major medical illness or injury extending beyond their available sick leave.

- 2) In order for an administrator to be eligible for sick leave benefits from the ASLB he or she must:
 - a. Be a contributor to the Bank,
 - b. Be absent from work due to major medical illness or injury accident, and
 - c. Have used all accumulated sick leave and personal leave.

All requests for use of the Bank will be related to major medical illness or injury occurring after membership in the Bank.

- 3) Application for use of the Bank will be submitted to the ASLB Committee (ASLBC), comprised of the superintendent or designee, and two district administrators appointed by the superintendent. The Committee will review the request and determine if the administrator is eligible to use the ASLB. If the Committee deems necessary, proof of illness may be required at the time of application and periodically during the granted period.
- 4) The ASLBC will have the authority to establish operational procedures necessary to implement this program. After a complete review of the application, the Committee will have the authority to make final decisions as to the disposition of the applicant's request within established operational procedures.
- 5) The maximum number of days that may be granted for an employee's major medical illness or injury in any 12-month period will be the remaining number of days an administrator is contracted to work during that 12-month period, not to exceed 60 days. The maximum number of days which may be granted in any 12-month period for immediate family members will be 30.
- 6) For the purpose of determining continuing eligibility for sick leave bank days the ASLBC will calculate the 12-month period immediately preceding the commencement of the leave as the 12-month period measured forward from the date the employee first takes sick leave bank days. If the administrator does not use all of the days granted by the ASLBC the unused sick leave days will be returned to the Bank.

The Non-Certified Sick Leave Bank is as follows:

- 1) Each employee working at least four hours per day in the District may participate in the NCSLB. After six months of service each employee is eligible to enroll in the NCSLB. A minimum initial contribution of two sick leave days is required to enroll in the Bank. Contributions will be made from the employee's sick leave accumulated to date. The length of work day will be used for comparable contribution to and withdrawal from the Bank. For example, an employee working a four hour day would contribute four hour days, entitling him or her to withdraw, when granted, four hour days from the bank. The same will follow for employees working six, seven or eight hour days.

An employee will have been employed for a minimum of six months and have accumulated a minimum of four sick leave days before being eligible for the NCSLB. It is the employee's responsibility to enroll in the Bank upon the six-month employment anniversary, plus or minus 10 days. If the employee fails to enroll on his or her six-month anniversary, he or she will be provided opportunity to enroll during the annual open enrollment period.

- 2) In order for an employee to be eligible for sick leave benefits from the NCSLB, he or she must:
 - a. Be a contributor to the Bank,
 - b. Be absent from work due to **major medical accident or illness or injury**, and
 - c. Have used all of his or her accumulated sick, personal, and vacation leave.

All requests for use of the Bank will be related to **major medical illness or injury** occurring after membership in the Bank.

- 3) Application for use of the NCSLB will be made to the NCSLB Committee (NCSLBC), consisting of two administrators and two employees appointed by the superintendent. The Committee will review requests and determine employee eligibility. If the Committee deems necessary, proof of illness may be required at the time of application and periodically during the granted period.
- 4) The NCSLBC will have the authority to establish operational procedures necessary to implement this program. After complete review of the application, the Committee will have the authority to make final decisions as to the disposition of the request within the parameters of the operational procedures.
- 5) The maximum number of days that may be granted **for an employee's major medical illness or injury** in any one 12-month period will not exceed 60 days. **The maximum**

number of days which may be granted in any 12-month period for immediate family members will be 30.

- 6) A threshold of 400 days will be established in the NCSLB. If the total falls below the threshold, the Committee will equally assess each member the appropriate number of days to re-establish the minimum 400 days. Sick days thus contributed will be deducted from each individuals accumulated sick leave.

If an employee wishes to discontinue participation in the NCSLB he or she must notify the Human Resources Department in writing. When membership has been discontinued, employees cannot withdraw days previously contributed.

- 7) For the purpose of determining continuing eligibility for sick leave bank days the NCSLBC will calculate the 12-month period immediately preceding the commencement of the leave as the 12-month period measured forward from the date the employee first takes sick leave bank days. If an employee does not use all of the days granted from the Bank, the unused sick leave days will be returned to the Bank.



Procedure History

ADOPTED:

EMT

REVISED: 10/8/12
8/11/14
6/13/16
8/6/18

Certified Employees

See Collective Bargaining Agreement (Policy 5900) and ~~Policy 5805~~.

Non-Certified Employees

Non-certified employees may receive up to a total of three (3) days leave for personal business each fiscal work year. Employees not using their personal leave will be paid fifty percent (50%) of their daily wage for each day not used. Non-certified employees will have the option of carrying forward four unused personal leave days.

The request for personal leave must be made to the non-certified employee’s immediate supervisor and personal leave with pay may be granted contingent upon a suitable substitute being available and/or if the immediate supervisor determines that the non-certified employee’s absence will not cause an undue burden upon the educational system of the District.

If an employee does not have seven days available for the school year, an additional day may be purchased ~~at the current year certified guest teacher rate, or the employee’s daily rate,~~ at one-half of their daily rate or the current year certified guest teacher rate, whichever is less. No more than seven personal leave days may be used in one school year. Purchased personal leave days may not be rolled over to the next school year.

Personal leave will be limited to extenuating circumstances during the first two weeks of school, the last two weeks of school, or two days immediately preceding or following a school vacation



Legal Reference:

Policy History

ADOPTED: 12/09/07

TFSD

REVISED: 12/08/08
07/14/09
09/10/12
6/13/16
8/6/18

Certified Employees

See Collective Bargaining Agreement (Policy 5900).

Non-Certified Employees

Non-certified employees who have worked for the district longer than one full year are eligible for up to 30 days of leave for the birth or adoption of an infant in the first year of life (beginning with the first day of birth or adoption). The employee is only eligible if they have less than 30 days of sick/personal and must use available leave prior to use of maternity/paternity/adoption leave at which time the employee may acquire enough days to reach 30 days of paid leave. For each day of maternity/paternity/adoption leave acquired, the employee will receive ½ their daily rate or their daily rate less the certified sub rate, whichever is less, as compensation. Employees may be eligible for additional days off without pay according to FMLA guidelines.



Legal Reference:

Policy History

ADOPTED:

TFSD

REVISED: