

Policy GBBDAA: STAFF SICK LEAVE POOL

Status: DRAFT

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Definition and Purpose

The Sick Leave Pool (SLP) is established to provide an employment benefit to employees who suffer a serious health condition. It is a voluntary pool created to provide additional sick leave benefits to an employee who suffers from a serious health condition as defined by the Family and Medical Leave Act of 1993 (FMLA). Employees are eligible to use FMLA leave because of a serious health condition that makes the employee unable to perform one or more of the essential functions of his or her job. A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that requires overnight hospitalization and/or continuing treatment by a health care provider.

The SLP is not intended to authorize additional days of leave to an employee, but merely to provide income for otherwise approved leave. It is not the intent or purpose of the SLP to guarantee no loss of pay for persons who are absent from work. Many absences, including minor injuries and illnesses, will not qualify for coverage under this policy, as these injuries do not meet the definition of a serious health condition as defined by FMLA, and even those illnesses that do qualify for SLP will only receive 70 percent of their current wages. The SLP is available only for serious health conditions of the employee, as defined by FMLA.

Requests to utilize the SLP for reasons related to pregnancy or the birth of a child will be analyzed in the same manner as all other requests. If the circumstances constitute a serious health condition of the employee, the leave will be eligible for the SLP assuming all other requirements have been met. However, requests for maternity or paternity leave for bonding time will not qualify for SLP, as the employee is not suffering from a serious health condition. However, leave for bonding time is available under the FMLA.

Eligibility and Membership

1. Members must be a current full-time employee, defined as working at least six hours per day or 30 hours per week and have one full calendar year of service with the district.
2. Participating employees must contribute two days of their Annual Leave Days (ALD) when the employee joins the SLP. In subsequent school years the employee must contribute one day by September 15 each school year if the SLP's accumulated days fall below 400 on July 1, prior to any school year. Likewise, an employee who had previously joined the pool, then left the pool, must also contribute two ALD's in the first year the employee decides to rejoin the pool.
3. Enrollment changes must be completed by September 15, for each school year. Enrollment or withdrawal from participation will be in writing on a district approved form. Membership shall continue until the employee withdraws.
4. Once days are contributed by a member they may not be removed other than by approved usage of the SLP. An employee is not eligible to use days once the employee no longer works for the district or is put on unpaid leave pursuant to §168.124, RSMo.

Administration and Operation

1. Before a participating member is eligible to draw from the SLP, he or she must have used all of his or her accumulated leave (ALD), accumulated vacation days (12-month employees) and any other leave to which they would be otherwise entitled and must have been off work for five consecutive school days without pay.
2. To be eligible for days from the SLP, the participating member shall submit notification and medical certification from a health care provider as is required by policy and federal law for an FMLA-qualifying absence due to the serious health condition of the employee. The district requires recertification of the illness or injury every 30 contract/work days in which the member is drawing from the SLP.
3. If there is reason to doubt the validity of a medical certification, the district may require the employee to submit to a medical examination at the district's expense in accordance with regulations interpreting the FMLA.

4. All requests by SLP members to use "pool" days will be in writing on a form provided by the district. These requests will be submitted to the superintendent or designee for approval.
5. All eligible employees participating during a school year will be able to draw a maximum of 60 days from the SLP per year, or less as hereinafter limited. Such sick leave is not cumulative in different school years. Employees eligible to participate in the SLP shall be allowed to draw from the SLP at 70 percent salary using the following schedule:

Participation Years in District Sick Leave Pool	Maximum Draw from Sick Leave Pool per School Year
1 st Year	20 Days
2 nd Year	30 Days
3 rd Year	40 Days
4 th Year	50 Days
5 or more Years	60 Days

6. If a member draws Workers' Compensation disability funds or any other type of compensation from employment, he or she shall not be eligible to draw days from the SLP at the same time.
7. Sick leave pool days will run concurrently with FMLA days. The district will follow FMLA rules for recertification. The district may verify adequacy of recertification using FMLA regulations.
8. The district has the authority to construe and interpret this policy and to determine all questions that arise under it. District interpretations are binding on all employees.

Discontinuance of the Plan

In the event that the SLP is discontinued, all days remaining in the SLP will be equally divided among the current members of the SLP. However, no member will be granted more unused days than that member contributed to the SLP.