

## SICK LEAVE BANK GUIDELINES

The following guidelines will be used to conduct business of the sick leave bank. If unique circumstances arise that are not covered by any of the guidelines, the sick leave bank committee shall determine the course of action to follow.

### Definitions:

**Open enrollment:** The period of time in which a current member may choose to withdraw membership from the bank or non-members may choose to join. The period starts on the first contract day for nine-month teachers and ends twenty consecutive days later. The open enrollment period occurs each scholastic year.

**Pay:** the daily rate of regular base pay for the employee.

**Sick Leave Bank Committee:** Members of the sick leave bank who were elected to represent the membership at large.

1. The sick leave bank is open to all full-time employees. Full-time employment is defined as employees working 20 or more hours per week.
2. In order to participate in the sick leave bank, the employee must authorize the removal of five (5) days from their personal sick leave account to be placed in the sick leave bank. Participating employees shall make equal contributions to the sick leave bank (5 days). **(see attached form)**
3. At the beginning of each scholastic year, an election shall be held among the sick leave bank members to determine by secret ballot the four members who are to serve on the sick leave bank committee. The term of office shall be one year. The chief executive officer of the authority shall be responsible for conducting the election in a fair and equitable manner, ensuring the confidentiality of the secret balloting process. The chief executive officer of the authority shall also appoint the authority's representative on the committee, subject to board approval.
4. At the beginning of the open enrollment period, or upon employment of the new employee, as the case may be, the appropriate number of sick leave days shall, upon application of the employee, be credited to the employee's account to enable the employee to join the sick leave bank if the employee does not have the minimum number of sick leave days to enable him or her to join the bank. The days loaned shall be repaid to the bank as they are earned by the employee until all are paid in full.
5. Participation in the sick leave bank shall at all times be voluntary on the part of the employee. Employees have the option to join the sick leave bank during the open enrollment period. New employees hired during the school year will have the opportunity to join at that time. New employees will have the benefits of joining the sick leave bank explained to them during their payroll processing.
6. A participating employee shall not be allowed to accumulate more than the maximum number of days allowed by section 16-1-18.1, including days contributed to the sick leave bank. Upon retirement all days donated to the bank will be returned once all owed days have been repaid to the bank.

7. If an employee ceases to be employed by the system (resigns, retires, takes a leave of absence, or for any other reason) and has an outstanding loan from the sick leave bank, the value of the loan shall be deducted from the final paycheck at the prevailing pay rate (not at the rate of a substitute). To ensure that money is available to repay the sick leave bank at the end of a contract pay period, the amount of money needed to cover the amount owed the bank over five (5) days will be held in escrow by the system. The money held in escrow will be returned to the employee in the first check if employment is not terminated. Participating employees who leave the school system (retiring, resigning, etc.) will have their sick leave days transferred from the sick leave bank to their sick leave account.
8. A participating employee who chooses to no longer participate in the sick leave bank shall be eligible to withdraw their membership only during the open enrollment window and must have repaid all owed days prior to withdrawing. Open enrollment begins the first (1<sup>st</sup>) contract day for nine (9) month teachers for twenty (20) consecutive calendar days each scholastic year.  
**The employee permanently forfeits their rights to rejoin the sick leave bank upon withdrawing from the bank two (2) times.**
9. Any sick leave time drawn from the pool by a participating employee must be used for sick leave as defined in the Code of AL 16-1-18.1. (see attached form)
10. Days from the sick leave bank shall not be awarded until all the personal sick leave and all available personal leave of the participating employee has been exhausted.
11. The chairman of the Sick Leave Bank Committee will approve/disapprove written requests for up to fifteen (15) days from the sick leave bank, ten (10) days beyond the five (5) the employee has in the bank. No participating employee shall be allowed to owe more than ten (10) days above the five (5) days that the employee initially deposited with the sick leave bank unless fifty percent (50%) of the bank members vote to extend the limit.
12. Sick leave days owed to the sick leave bank shall be paid back at the rate of one (1) day per month beginning with the next leave day earned after the loan was granted by the sick leave bank and continuing until the days loaned have been completely repaid.
13. Any alleged abuse of the sick leave bank shall be investigated by the Sick Leave Bank Committee. On the finding of wrongdoing, the member shall repay all of the sick leave credits, salary, benefits, etc. paid to the employee or paid on behalf of the employee drawn from the sick leave bank and be subject to other appropriate disciplinary action as determined by the local authority. The Sick Leave Bank Committee may request that the Opelika City School Board of Education deduct from a participating employee's salary the amount of money necessary to repay the sick leave bank if the employee is abusing the sick leave bank. This action would require a unanimous vote of the Sick Leave Bank Committee.
14. Catastrophic sick leave. Employees, at their discretion, may donate a specific number of days to the sick leave bank to be designated for a specific employee for use against a catastrophic illness as defined by section 16-22-9. A donating employee shall not be required to donate a minimum number of catastrophic days to the sick leave bank. The recipient employee may use catastrophic sick leave days for himself or herself or for

other covered persons as provided in Section 16-1-18.1. Before sick leave days for a catastrophic illness may be used by a recipient employee, the recipient employee shall have first exhausted all sick and personal leave. Donated days shall become available for use by the particular employee who shall not be required to repay the days. Any employee who donates sick leave days to the sick leave bank for a particular employee suffering from a catastrophic illness shall be clearly informed that the donated days are not to be recovered or returned to the donor. If a particular employee does not require all of the days donated to the credit of the employee, the days shall revert to the credit of those employees who donated the days in accordance with the guidelines adopted by the sick leave bank committee. No employee may donate more than 30 sick leave days, exclusive of the provisions of subsection (e), to the sick leave bank for the catastrophic sick leave of any one employee. A sick leave bank is authorized to donate sick leave days to another sick leave bank for use by a particular employee who is suffering a catastrophic illness.

An employee must be a member of the sick leave bank to donate or receive catastrophic sick leave days. Days donated will be noted with a time and date received. Days donated will be credited to the recipient in the order they are received. Any days not used will be returned to the donating member.

If a medical condition with no specific treatment plan qualifies for catastrophic leave, the leave will be for a period of twenty (20) workdays and may require additional physician re-certification as determined by the sick leave bank committee.

Before being eligible to use catastrophic sick leave days, the member of the sick leave bank shall first borrow and utilize days from the sick leave bank, up to a maximum of 15 days. However, if the member later qualifies for catastrophic sick leave, donated catastrophic sick leave days may be used to repay days owed to the sick leave bank to the credit of the affected member.

15. Amendments to these guidelines must be approved by the Sick Leave Bank Committee and ratified by a majority vote of the participating employees.
16. These guidelines will become effective as soon as they are approved by the membership and accepted by the Opelika City School Board of Education.

**ADOPTED: May 11, 2004**  
**REVISED: August 11, 2005**  
**REVISED: January 23, 2024**  
**LEGAL REF: Code of Alabama 16-22-9**

OPELIKA CITY SCHOOLS SICK LEAVE BANK  
REQUEST FORM

Employee Name: \_\_\_\_\_ Employee # \_\_\_\_\_  
(please print)

Work Location: \_\_\_\_\_ Number of days requested from the bank: \_\_\_\_\_

Date(s) Absent: \_\_\_\_\_

**REASON FOR REQUEST**

- \_\_\_\_\_ 1. Personal illness
- \_\_\_\_\_ 2. Bodily injury which incapacitates the employee.
- \_\_\_\_\_ 3. Attendance upon an ill member of the immediate family (husband, wife, father, mother, son, daughter, brother, sister, father-in-law, mother-in-law, daughter-in-law, son-in-law, nephew, niece, grandson, granddaughter, grandfather, grandmother, uncle, aunt) of the employee, or a person standing in loco parentis.
- \_\_\_\_\_ 4. Death in the immediate family of the employee (husband, wife, father, mother, son, daughter, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, nephew, niece, granddaughter, grandson, grandfather, grandmother, uncle and aunt).
- \_\_\_\_\_ 5. Where unusually strong personal ties exist, due to an employee having been supported or educated by a person of some relationship other than those listed, this relationship may be recognized for leave purposes. In each such case the employee shall file with the board of education a written statement of the circumstances which justify an exception of the general rule.

\_\_\_\_\_  
**Signature of Employee**

\_\_\_\_\_  
**Date**

\*\*\*\*\*

\_\_\_\_\_  
**# of Days Awarded**

\_\_\_\_\_  
**Payroll Approval**

\_\_\_\_\_  
**Signature of Bank Chairman**

\_\_\_\_\_  
**Date**

*Days from the Opelika City Schools sick leave bank shall not be awarded until all available sick leave and personal leave of the participating employee has been exhausted.*

OPELIKA CITY SCHOOLS  
AUTHORIZATION FOR SICK LEAVE BANK MEMBERSHIP

\_\_\_\_\_  
Employee's Name (PRINT)

\_\_\_\_ - \_\_\_\_ - \_\_\_\_  
Social Security Number

\_\_\_\_\_  
School

**Initial on lines below:**

\_\_\_\_\_ I wish to be a member of the Sick Leave Bank and hereby authorize that five (5) days from my personal sick leave account be placed in the Bank.

\_\_\_\_\_ I am a new employee and wish to be a member of the Sick Leave Bank, but do not have the required five (5) days. Please credit my sick leave bank account with \_\_\_\_\_ days {up to five (5)}. I agree that any sick leave days earned up to five (5) will be charged against the days advanced me.

\_\_\_\_\_ The benefits of joining the Sick Leave Bank listed below have been explained to me but I do not wish to participate in the Sick Leave Bank.

- Notes:**
1. Open enrollment period is the first twenty (20) calendar days of nine (9) month teachers' contract for each scholastic year. Payroll office must receive the Authorization Form by the last day of the open enrollment period. New employees may enroll during the first thirty (30) days of employment.
  2. Withdrawal of enrollment must be in writing and can only be done during the open enrollment period. The employee permanently forfeits their rights to rejoin the sick leave bank upon withdrawing from the bank two (2) times.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## **BENEFITS OF JOINING THE SICK LEAVE BANK**

An educational authority is authorized by state law to establish a sick leave bank. Full time employees (20 hours or more per week) may choose to start and maintain the sick leave bank. Employees deposit sick leave days from their personal sick leave account. These days are pooled and are available for members to borrow upon request for up to fifteen (15) days, if the member runs out of their own days not deposited in the bank. This allows a member not to be docked salary for their absence from work for sickness. Days are paid back to the bank as the member earns new days. The most significant benefit to a member is if the member has a catastrophic illness as defined by law. The member can then request donated days from the sick leave bank anywhere in the State of Alabama Public School System. The donated days do not have to be paid back to the bank. Most members do not see any disadvantage in joining the sick leave bank. However, it is an individual's choice whether to join the sick leave bank.

**ADOPTED: May 11, 2004**

**REVISED: August 11, 2005**

**REVISED: January 23, 2024**

OPELIKA CITY SCHOOLS  
NOTICE OF WITHDRAWAL FROM SICK LEAVE BANK

\_\_\_\_\_  
Employee's Name (PRINT)                  \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
Social Security Number                  \_\_\_\_\_  
School

I hereby terminate my participation in the sick leave bank and request that the remaining days on deposit in my name be returned to my personal sick leave account.

I further understand that I forfeit the right to rejoin the sick leave bank upon withdrawing from the bank two (2) times.

\_\_\_\_\_  
Signature    \_\_\_\_\_  
Date

- NOTES:**
1. A member who wishes to withdraw from the sick leave bank may do so during the open enrollment period of each year. Which is the first twenty (20) days of nine (9) month teachers' contract for each scholastic year. Payroll office must receive the notice of withdrawal by the last day of the open enrollment period.
  2. The signed notice of withdrawal should be returned to the Chairperson of the sick leave committee, c/o Central Office.