

## **Sick Leave Bank**

The purpose of this policy is to provide guidelines for establishing a sick leave bank at The University of Toledo for Professional Staff Association (PSA) members who are eligible to accrue sick leave. Once established, the purpose of the Sick Leave Bank is to bridge the gap between the exhaustion of sick/vacation/compensatory time, and Long Term Disability.

### **1. Authorization to Establish a Sick Leave Bank**

- A. A minimum of fifty (50) PSA members are necessary to initiate the establishment of the Sick Leave Bank.
- B. Within 30 days of receipt of the request, the Professional Staff Council (PSC) shall appoint five (5) PSA members to serve on the Sick Leave Bank Committee (SLBC), a standing committee of the PSA. One of the appointees shall represent Human Resources. The other four appointees shall represent different divisions. The appointees shall serve for three year terms after the initial appointments of staggered terms (2 for 3 years, 2 for 2 years and 1 for 1 year). Those appointed to serve on the committee may be reappointed; vacancies for any reason shall be filled immediately for the remainder for the unexpired term by the Professional Staff Council who shall appoint the committee member to complete the term.
- C. The SLBC shall be responsible for administration and implementation of the Sick Leave Bank guidelines, membership and enrollment procedures, and reasonable assessment rules to maintain an adequate reserve. The SLBC shall recommend, to the Associate Vice President of Human Resources for approval, a sick leave bank implementation date which shall be no later than 180 days after the receipt of the petition by the Associate Vice President of Human Resources.

### **2. Continuation and Maintenance of Sick Leave Bank**

- A. The Human Resource Office shall provide staff support to maintain the Sick Leave Bank, keep records of the sick leave days donated and taken, prepare reports, and keep minutes of the SLBC 's meetings.
- B. An annual report indicating the status of the Sick Leave Bank membership, usage, and sick day reserves will be provided by the SLBC to the Vice President of Human Resources and Campus Safety, to the Senior Vice President of Finance and Administration, and to members participating in the Sick Leave Bank.

### **3. Enrollment/Cancellation of Membership**

- A. No later than 30 days prior to the effective date of the Bank, the SLBC shall notify all employees who accrue sick leave of their eligibility to join the Sick Leave Bank, and the effective date of the Bank. The SLBC shall establish and inform all eligible employees of the initial enrollment assessment to be deducted from the employee's sick leave balance. The initial assessment of PSA members who wish to participate shall be one (1) day or 8 hours for part-time employees and two (2) days or 16 hours

for full-time employees. Prior to the initial assessment, participants must have a sick leave balance of at least 6 days or 48 hours in order to join the Bank.

- B. After the initial enrollment, the SLBC shall hold an annual enrollment period to be determined. The annual enrollment period and the enrollment procedures will be publicized annually by the SLBC to all eligible employees. Employees who enroll at this time will have an initial enrollment assessment as established when the Bank was created.
- C. Any employee may cancel membership from the Bank by written request to the Sick Leave Bank Committee as of June 30 of each year.
- D. The right to membership or to apply for membership ceases with termination of employment as a Professional staff member, retirement, cancellation of membership, or refusal to comply with assessments.
- E. If membership falls below 50 members or the Sick Leave Bank balance is less than 20 days (160 hours), the SLBC may decide to dissolve the Bank rather than making assessment. If the Bank is dissolved, any days on deposit shall be returned to the participating members employed at The University of Toledo at the time of dissolution and credited to their personal sick leave accumulation in proportion to the days each has contributed.

#### **4. Contributions/Assessments of Sick Leave Days**

- A. All sick leave days contributed to the Bank are non-refundable and nontransferable (except as noted in 3E).
- B. The SLBC is authorized to request the necessary and reasonable assessment of the membership to maintain an adequate reserve of days based upon total membership of the Bank and projected need. To maintain the Bank, the balance of sick days in the Bank should not fall below one day per member.
- C. In the event of an assessment, the membership must be notified, in writing, at least thirty (30) days prior to the effective date of the assessment. At the end of the thirty (30) day notification period, transfers will be made from sick leave balances of the membership to the Sick Leave Bank, except in cases where members have notified the SLBC of their unwillingness to honor the assessment. Such notice must be given, in writing, to the SLBC.
- D. Failure to comply with any assessments established by the SLBC will result in cancellation of membership in the SLB unless the member had made a current application for sick leave from the Bank or is on leave with pay (sick leave) using an allocation from the Bank. If a member has no accumulated sick leave at the time of the assessment, the first earned days shall be donated as they are accrued by the employees.

#### **5. Eligibility/Application for the Sick Leave Days**

- A. Members who have been in the Sick Leave Bank for at least 30 working days are eligible to apply for sick leave days from the Bank.
- B. Sick leave days may be requested from the Bank only for the personal catastrophic illness or injury of an employee. Catastrophic illness is defined as: a medical condition of an employee as certified by a physician, which requires an employee's absence from duty for a prolonged period of time with the probability of qualifying

for, and eventually receiving, long term, permanent disability, which results in a substantial loss of income to the employee because of the exhaustion of all earned sick, vacation and compensatory leave time. A minimum of 8 weeks from the start of the catastrophic illness or injury period must elapse before Sick Leave Bank time is granted. During this 8 week period, the employee is required to apply for Long Term Disability (LTD). Banked sick leave days may not be granted for elective surgery, illness, or care of any members of the individual's family, or during any period an individual is receiving disability benefits from social security, retirement, or workers' compensation.

- C. All accrued leave (sick, vacation, compensatory time – if applicable) must be used before receiving sick leave days from the Sick Leave Bank. However, application may be made prior to that time and approval given contingent upon the employee's exhaustion of all accrued leave.
- D. A written application for Sick Leave Bank days is required on a form provided by the Human Resource Office. At a minimum, the application shall include employee's name, title, date of employment, reason for request, and number of sick leave days requested. The applicant must also sign a release so that their medical records may be reviewed by the SLBC.
- E. If any employee is eligible but unable to apply due to physical or mental condition, any immediate family member, as defined by the Ohio Revised Code, or other legal agent may apply on behalf of that employee.

## **6. Granting Sick Leave Days**

- A. Based on rules established herein, the SLBC shall act upon all applications for Sick Leave Bank days within 15 working days from receipt of the request. All actions by the SLBC require three (3) affirmative votes.
- B. The number of sick leave days granted may never exceed the number of days in the Sick Leave Bank.
- C. Each initial grant of sick leave days shall be limited to a maximum of 20 consecutively scheduled working days for each illness or injury. After the initial grant, employees may reapply for extension(s) of up to 60 sick leave days per illness or injury. The total sick leave granted to any one member shall not exceed 80 days per fiscal year or 80 days for any one illness, recurring illness, or accident.
- D. If sick leave days from the Bank are granted to an employee, the employee is considered to be in active pay status during the use of that leave and all employment benefits apply including the accrual of vacation and sick leave.
- E. If any sick leave from the SLB is granted but not used by the employee, the unused portion of the amount of sick leave transferred is returned to the Sick Leave Bank. This would apply in the case of an employee's death or recovery from the illness or injury.