

## TROY CITY SCHOOLS SICK LEAVE BANK AND CATASTROPHIC LEAVE GUIDELINES

### A. Purpose

The Troy City Schools Sick Leave Bank (SLB) is established to provide a loan of sick leave days for its participating members after their accumulated sick and personal leave days have been exhausted. It is the purpose of the SLB to allow any school system employee who earns sick leave and wishes to participate to have access to the sick and catastrophic leave as provided under Alabama Act #84-321 and as amended.

### B. Sick Leave Bank (SLB) Committee

1. **Composition:** The SLB committee shall consist of five members. Four members shall be members of the SLB and elected by the participating members of the SLB. The remaining member shall be appointed by the Superintendent. The school systems custodian of school funds will also serve as an ex-officio member.
2. **Terms of Office:** Members of the SLB will serve a term of one (1) year, with no member serving more than five (5) consecutive years. The term of office shall begin on October 1 and expire on September 30. Vacancies occurring on the committee shall be filled by the respective parties.
3. **Administration and Policies:** The SLB committee is charged with the administration, operation, and the establishment of policies of the SLB. The committee shall also take any other action deemed necessary for the effective and efficient operation of the SLB consistent with the guidelines and House Bill (HB) 210.
4. **Guidelines:** The SLB committee shall be responsible for writing the guidelines, which shall govern the operation of the SLB and catastrophic leave policies. The guidelines shall be approved by a secret ballot vote of the participating members in the SLB.
5. **Accounting:** The accounting of the SLB shall be the responsibility of the custodian of school funds.
6. **Duties of the SLB Committee:**
  - a. **Officers:** The SLB committee will elect, by a majority vote, a chairperson and a secretary. Other officers may be elected as the committee shall determine.
  - b. **Meetings:** Meetings of the SLB committee shall be scheduled as needed. Additional meetings may be called by the Chairperson or by a majority of the committee, or by the Superintendent.
  - c. **Decisions and Votes:** Decisions affecting the SLB and Catastrophic leave are to be made exclusively

by the SLB committee by a majority recorded vote. Any request and need for a loan from the SLB will be held in the strictest confidence by the committee.

- d. **Forms**: The SLB committee is charged with the responsibility of developing and distributing the necessary forms so that all eligible employees will have reasonable access to the forms and membership. All forms developed will be available at the Central Office, each worksite office (bookkeeper), and SLB committee. The following forms are to be made accessible:
1. Sick Leave Bank Authorization for Participation/Termination Form
  2. Sick Leave Bank Loan Application Form
  3. Catastrophic Sick Leave Transfer Authorization Form
  4. Physician Certification of Catastrophic Illness or Injury
- e. **Loans from the SLB**: All request for the loan of days from the SLB must be submitted to the Accounting Department at the Central Office on the proper forms, preferably prior to leave being needed or taken. Any request the payroll office deems unusual or questionable shall be referred to the SLB committee. The committee shall review all applications for Catastrophic leave and make appropriate decisions regarding request.

\*It is the responsibility of the SLB member to complete and submit the required forms. No member will be allowed to borrow days from the SLB unless the proper forms are completed.

Also see Application for Loan and Retroactivity.

- f. **Abuses**: Any alleged abuse of the SLB shall be investigated by the committee and on a finding of wrongdoing, the violator will be referred to the Superintendent's office.

### C. **Eligibility and Participation**

1. **Participation**: Member participation in the SLB shall be voluntary.
2. **Eligibility and membership**: Any employee of the Troy City School System who earns sick leave is eligible to join the SLB. Employees wishing to become members of the SLB MUST complete an application for membership form.



3. **Enrollment Period:** The contribution of leave days into the SLB must take place during a definite enrollment period, which shall be from Institute Day through September 30 and from January 1 through January 31. New employees will be given the opportunity to join the SLB upon employment. New employees who do not have the minimum number of days (3) and wish to join the SLB shall be credited with the three (3) days upon receiving an application for membership. The employee will be required to contribute sick days as he/she accrues them. Once the appropriate days (3) have been contributed then accrued sick days will revert to the employee's personal sick leave account.
4. **Use of Days:** Days may be borrowed from the SLB for the member's own sickness and/or to attend a covered family or friend as provided in Section 16-25-11.1 of the Code of Alabama, 1975.
5. **Withdrawal:** A member who chooses to no longer participate in the SLB shall be eligible to withdraw during the month of June. To withdraw, the proper forms must be completed and submitted to the Custodian of School Funds.
6. **Donor and Beneficiary:** Only members of the SLB will be allowed to borrow or donate sick days as the case may be.
7. **Maximum Days to be Borrowed:** No member shall be allowed to borrow or owe more than 15 days to the SLB. Should a member require more than 15 days and does not qualify for catastrophic leave, a secret ballot of the members must be made to extend the loan limits. A vote of over 50% of the members approving the loan must occur.
8. **Exhaustion of all Leave:** To be eligible for a loan from the SLB, a participating member must have exhausted all accumulated sick leave and personal leave (2 days given by State), in his or her personal account.
9. **Deposited Days Counted Toward Maximum Accumulation:** Days which a contributing member has placed in the SLB (3 days), are to be counted toward the cumulative total maximum sick leave days allowed, 225 days, (See Section 16-1-18-1, Code of Alabama, 1975).
10. **Recording and Report:** The Troy City School System's payroll department shall maintain records of all contributions to and withdrawals from the SLB, and the status of the SLB. Reports shall be provided on a timely basis at the request of the SLB committee.
11. **Application for Loan:** In cases where the member is unable or incapacitated, his or her designated agent may apply to the SLB committee on the member's behalf,



except as provided in the catastrophic leave provisions of the guidelines. All request for SLB loans must be in whole day increments.

12. **Retroactivity:** At the discretion of the SLB committee, and upon the request of the applicant, loans may be granted retroactively to the first day of the absence if the committee deems the circumstances for the request or valid.
13. **Replacement of Loaned Days:** Members who borrowed days from the SLB shall be required to repay the SLB monthly as they accrue monthly sick days. A member who owes the SLB cannot accrue sick leave.  
Example - should a member borrow two (2) days to cover an illness and then return to work, the member owes the SLB two (2) days. The member then works the next month therefore earning one (1) sick day. That sick day goes to repay the SLB, and the member still owes one (1) day. During the next month the member is ill again. A day must be borrowed from the SLB to cover that day and the member owes two (2) days again. In other words a member owes days until the number of borrowed days have been repaid.
13. **Monetary Reimbursement:** A member cannot leave employment without repaying any outstanding debt of leave days to the SLB, except as provided by the catastrophic provisions of these guidelines. Upon resignation or other termination of a member who has an outstanding loan of sick days, and does not have enough earned sick days to repay the SLB; the value of the loan will be deducted from the member's final paycheck at the employee's prevailing rate of daily pay. If an employee's final paycheck is not sufficient to repay the sick days owed, the days remaining unpaid shall be paid by the employee.
14. **Retirement:** Any member who is retiring may withdraw his/her contributed days from the SLB for retirement credit as provided in Section 16-25-11.1 of the Code of Alabama, 1975.
15. **Resignation:** Any member who is resigning from Troy City School System may withdraw from the SLB 60 days prior to the effective resignation date by completing and submitting the required paper work to the Custodian of School Funds.

#### D. CATASTROPHIC SICK LEAVE GUIDELINES

1. **Membership in SLB Required:** To donate or receive catastrophic sick leave days, the employee must be a member of the Sick Leave Bank (SLB).
2. **Prerequisite of Receipt of Days:** In accordance with the Code of Alabama, Section 16-22-9, when a SLB member or other family member or friend (see Code of Alabama,



Section 16-1-18.1) is suffering a catastrophic illness or injury, the member, upon depleting all sick leave and other earned leave, shall be eligible to receive sick leave days from other members of the sick leave bank to cover the period of time during which the employee cannot be at work. However, before receiving any catastrophic sick leave days from any other member, the beneficiary employee must have borrowed the maximum number of days allowed from the sick leave bank, not to exceed 15 days. The beneficiary employee must use any sick leave days, personal leave days, and vacation days which are earned each month before utilizing donated days.

- a. Members who qualify for catastrophic sick leave may use donated days to repay days owed to the sick leave bank.

3. **Terms and Definitions:** The employee receiving donated catastrophic sick leave days shall be known as the "donor employee". The term catastrophic illness or injury shall be defined as required in Section 16-22-9, Code of Alabama, 1975. A pregnancy or condition relating to childbirth is specifically included in the definition of a catastrophic illness, therefore, upon a doctor's signature and completion of the required form, a pregnancy or condition related to childbirth may fall within the parameter of a catastrophic illness.
4. **Repayment not Required:** The beneficiary employee shall not be required to repay the donated days to the sick leave bank for days used.
5. **Eligibility of Donor:** Any member of the Troy City School SLB or any other public education SLB in the state may donate sick leave days to the beneficiary employee.
6. **Limit of Days by Donor:** No employee may donate more than 30 sick leave days to any beneficiary employee (as required in Section 16-22-9, Code of Alabama, 1975). The 30-day limitation is a permanent, ongoing limitation, and not just per illness or per pregnancy.
7. **Application for Days:** A letter of request by the employee to receive a catastrophic sick leave donation is desirable but in cases where the employee is physically unable or incapacitated, a letter of request by the member shall not be necessary; however, before donations to any beneficiary employee will be deposited into the sick leave account of the employee, certification of the illness by the employee's physician must be on file. Certification shall be by a licensed physician as required in Section 16-22-9, Code of Alabama, 1975. The SLB committee shall authorize a standard form for certification by the physician.

8. **Voluntary Donations:** Donation of days to a beneficiary employee shall be solely at the discretion of the participating member of the SLB. An employee donating catastrophic sick leave days shall be clearly informed that the days so donated shall not be repaid if used by the beneficiary employee. However, any days donated for catastrophic purposes, which are not used by the beneficiary employee, shall revert to the employee making the donation. If donated days are partially but not completely used, the days shall revert to the donating employee in a proportional manner, odd days reverting by lot; however, the SLB committee shall be the final authority in determining the reversion of days to the donors of unused days. Any such reversion of unused donated days shall not occur until the expiration of 30 days after the beneficiary employee has returned to work.

SOURCE: Troy City Board of Education, Troy, AL  
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LEGAL REF: The Code of Alabama, 16-22-9