

APPENDIX G -- SICK LEAVE BANK

The parties agree to the following rules and procedures for establishment, staffing, and operation of a SICK LEAVE BANK. Such rules and procedures may be revised by mutual consent of the parties.

Section 1. Rules and Procedures for the UTD Sick Leave Bank

The United Teachers of Dade, AFT Local 1974, AFL-CIO, being the bargaining agent for instructional, paraprofessional and office employees, agrees to staff and operate a Sick Leave Bank Committee for at least the duration of the current contract. It shall be the responsibility of this Committee to administer the UTD Sick Leave Bank rules and procedures stipulated below:

A. M-DCPS agrees to:

1. assist the committee in operation of the UTD Sick Leave Bank by providing, upon request, data from participating employees' sick leave records. This data will be used to plan the initial operation of the bank and as a basis for Sick Leave Bank withdrawals;
2. designate an administrator to meet periodically with the UTD Sick Leave Bank Committee and to act as liaison with the appropriate M-DCPS office.

B. The UTD Sick Leave Bank Committee shall:

1. maintain adequate records relative to all functions of the bank;
2. meet periodically with a designated administrator of M-DCPS to review UTD Sick Leave Bank records; and
3. operate the UTD Sick Leave Bank in accordance with the rules and procedures contained herein.

M-DCPS shall establish and the Union shall comply with procedures for identifying and recording contributions to the Bank and for complying with any applicable governmental regulation of sick leave or sick leave banks or associated recordkeeping.

UTD SICK LEAVE RULES AND PROCEDURES

Section 2. Purpose

- A.** In order to provide employees with an emergency pool of sick leave days for illness, accident, or injury of self above and beyond those available under "Sick Leave With Pay" provisions, the Board and Union hereby establish the UTD Sick Leave Bank.

- B. The UTD Sick Leave Bank shall function under rules and procedures administered by the Union. All full-time employees in the UTD bargaining unit may participate in the UTD Sick Leave Bank.
- C. Any alleged abuse or misuse of the Sick Leave Bank shall be investigated by either or both parties. If the investigation results in finding of wrongdoing, the employee, M-DCPS, and the Union shall be notified, and the employee shall repay all sick leave days drawn from the pool and shall be subject to such disciplinary action as deemed appropriate by the Board.

Section 3. Initial Membership Requirements

Only unit members who are full-time employees who have been employed full-time for at least one year and who have sick leave accrual of five days or more at the time of enrollment may enroll in the UTD Sick Leave Bank by contributing one day to the Sick Leave Bank. Unit members who contributed one day to the Sick Leave Bank when it was first established shall automatically be reinstated as members at this time.

Additionally, full-time employees who meet the Sick Leave Bank requirements listed above shall also be eligible to contribute any number of sick leave days to the bank provided contributing employee will have 30 or more sick leave days remaining after that contribution. Employees may contribute days to the Sick Leave Bank in general or he/she may direct the bank to contribute such days to another member of the Sick Leave Bank who has exhausted all Hardship Leave, Dire Emergency Leave and Sick Leave Bank days.

Section 4. Withdrawal Procedures

- A. Effective March 1, 2003 participating members who meet the following criteria may apply for withdrawal of days from the UTD Sick Leave Bank after:
 - 1. exhaustion of all personal sick leave days.
 - 2. confinement for 10 working days or more without pay.
- B. Effective March 1, 2003, all applications are subject to final approval by the UTD Sick Leave Bank Committee. The maximum number of Sick Leave Bank days that may be approved for any participating member is 30 Sick Leave Bank days per 12-month period.
- C. All UTD Sick Leave Bank claims should be made within one year of the conclusion of the confinement period; and only days not covered by leave days will be considered for eligibility.
- D. The word "confinement", as used in C. above, means medical restriction requiring isolation from the work place, not physical enclosure. Documentary evidence certifying that the illness necessitates confinement must be presented to the Committee by a licensed physician.

Section 5. Maintenance of the UTD Sick Leave Bank

The UTD Sick Leave Bank will be activated when a minimum of 1,000 days has been deposited. No further contribution shall be required of participating members, unless the UTD Sick Leave Bank is depleted to a point where 250 days remain. In such case, all members of the Sick Leave Bank, except those members receiving extra sick leave for hardship, shall contribute one day each time the bank is depleted.

Section 6. Duration of Agreement

The UTD Sick Leave Bank shall be in existence for the duration of the contract and may be renewed in succeeding contracts. In the event a member wishes to terminate UTD Sick Leave Bank membership, all obligations and privileges of membership shall cease 90 days from the date of receipt of written notification by the UTD Sick Leave Bank Committee. The deposit of sick leave days shall remain in the UTD Sick Leave Bank.

Section 7. Granting of Sick Leave From the Bank

In the event of non-renewability of the UTD Sick Leave Bank in succeeding contracts, bank deposits will be returned to contributing members, where appropriate. Return of days will be accomplished equally to those members who have not utilized UTD Sick Leave Bank withdrawals.

Section 8. UTD Sick Leave Bank Procedures

A. Initial Enrollment

1. The enrollee will sign and forward a UTD Sick Leave Bank Program Card to the UTD for necessary processing. This card will be the same size as the present Application for Leave Card and will contain authority for the initial deduction of one day sick leave upon enrollment in the program. Additionally, the card will authorize UTD to deduct an additional day of sick leave from the employee, if the Sick Leave Bank has been depleted.
2. Upon completion of internal processing by UTD, the card and a transmittal listing will be forwarded to the Payroll Section. Cards will be forwarded in work location sequence by employee number. The Payroll Section will deduct a day of sick leave from the employee's leave balance on the Payroll Data Card, date it, and enter the notation "UTD" on the card. Deduction cards will be filed with and in the same manner as the Application for Leave Cards. Cards will be filed in the pay period which encompasses the date that the posting was made to the employee Leave Data Card.

For those employees who do not have the required leave balance for the deduction, the authorization card will be returned to UTD with notation "NO LEAVE BALANCE".

3. Paraprofessionals/Associate Educators/School Support Personnel and Office Employees are not entitled to have any sick leave days deducted until the 30th work day after the employee's initial enrollment in the Sick Leave Bank.

B. Subsequent Deductions After Initial Enrollment

1. Subsequent deductions as described in Section 5 shall be accomplished by utilizing the Sick Leave Bank Program Card which will be checked in the box titled "Subsequent Deduction". This card need not be signed by the employee and principal since the initial card authorized subsequent deductions. This card will be signed and dated by an authorized member of the UTD Sick Leave Bank Committee. The cards will then be forwarded to the Payroll Section.
2. Upon receipt of the cards and transmittal listing by the Payroll Section, the individual Payroll Data Cards will be posted and filed per A(2). The UTD Sick Leave Bank Committee will notify affected employees when subsequent deductions are made from participants. Insufficient leave balance to permit deductions will be returned to the UTD Sick Leave Bank Committee per A(2). The Sick Leave Bank Committee shall, on an individual basis, notify employees with an insufficient leave balance that they are no longer enrolled in the Sick Leave Bank and advise them of subsequent enrollment procedures.
3. Paraprofessionals/Associate Educators/School Support Personnel and Office Employees are not entitled to have any sick leave days deducted until the 30th work day after a "subsequent deduction".

C. Granting of Sick Leave

When employees are granted sick leave from the UTD Sick Leave Bank, the UTD Sick Leave Bank Committee will utilize the Sick Leave Bank Program card to notify the Payroll Section. The sick leave days granted by the committee shall be posted to the Payroll Data Card and filed per A(2). The committee will notify members who have been granted sick leave from the Bank.