

BOARD AGENDA ITEM

May 10, 2016

SUBJECT:

GCCA - *Shared Leave* [New Policy]

BACKGROUND:

The School District has had a Sick Leave Bank for a considerable period of time. For those not familiar with the concept, the bank allows a pool of donated sick days (usually one or perhaps two) making the donor a "member" of the bank. When a catastrophic illness or issue occurs, a person who is a member may apply to the Sick Leave Bank for the granting of additional days. This is controlled by an independent committee which operates according to predetermined guidelines. While this concept has aided many persons in need, it has very strictly controlled parameters as to the situations that constitute a *catastrophic* need. Accordingly, applications that are otherwise worthy frequently cannot be granted. The administration has seen the need for an additional opportunity for shared leave and has recommended the attached policy and administrative rule as a method to address that need.

ADMINISTRATIVE CONSIDERATION:

Although conceptually similar to the Sick Leave Bank, the Shared Leave Policy would allow a donor, or several donors, to commit a significant number of days (strictly on a voluntary basis) where one or more known needs exist and would allow persons in difficult need situations (not created by their personal abuse of the use of sick leave) to apply for and seek a grant of additional days under guidelines that are less restrictive, but which are still screened and reviewed independently by the Director of Human Resources, or designee for compliance and eligibility, after which either the Superintendent or his alternate designee would sign off on the approvals. The Chief Financial Officer's Department will establish procedures to insure the proper transfers of leave and that after the donee employee is able to return to duty, any contingent days left available for donation are eliminated from further need so that there will be a flow through within this bank-type procedure but that no unused accumulation will accrue. Upon approval and initial implementation by the Board, the administration will monitor the process under this policy and rule in order to recommend any adjustments or fine tuning that may be necessary for the utilization by employees of both options for shared leave availability.

RECOMMENDATION:

Approve the Shared Leave Policy and Administrative Rule for First Reading

ATTACHMENT:

Proposed Policy GCCA
Proposed Administrative Rule GCCA-R

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SHARED LEAVE

Code **GCCA-R** Issued

Background

The Shared Leave Program is a District sponsored and facilitated program which is administered independently of the Sick Leave Bank. It provides an additional opportunity for donated sick leave to eligible employees seeking financial assistance in special circumstances as anticipated by the Policy.

Governance

The Director of Human Resources, or designee, will review and investigate all applications for assistance as well as intended donations of leave for compliance with this Rule.

A specific recommendation will then be made to the superintendent or one of his designated alternates. The superintendent or designee will approve or deny the recommendation from the Human Resources Department. The decision at that level is final.

The investigation by Human Resources will include eligibility of the applicant as defined in this Rule and will also determine the available number of proposed donated days by one or more committed donors who are eligible for making donations and will notify those donors whether or not their donations are accepted.

All information concerning a request will be considered confidential.

Eligibility

Employees must work a minimum of 30 hours per week and be eligible for sick leave benefits.

- In order to be eligible to receive donated leave, the employee, at the time of receipt, must have exhausted **all** paid forms of leave
- An employee must be on an approved leave due to a serious medical condition or temporary disability of the employee or his/her immediate family and must have exhausted, or expects to exhaust, **all** paid leave, where such condition will require the prolonged absence of the employee from duty and will result in a substantial loss of income to the employee because the employee will have exhausted all paid leave available, apart from the leave-sharing plan.
- Employees who are absent due to a workers' compensation injury are not eligible for shared leave.
- The employee must present information requested by the Human Resources Department, which may include, but not be limited to, a statement from a licensed physician regarding medical conditions, injuries, and anticipated duration of condition or disability for the purpose of this policy.
- Normally elective surgeries do not qualify for shared leave although certain procedures related to qualifying medical applications such as reconstructive surgery after a

mastectomy, or surgical procedure necessary to fit a prosthesis after an amputation, or similar circumstances may be considered.

- An employee must have demonstrated reasonable prior use of sick leave and/or annual leave, even though such leave is exhausted or will be exhausted by the anticipated time of need per the request.
- Rehired retirees are not eligible to apply for or donate to shared leave.
- Leave received under this program shall be at the donee employee's normal rate of compensation and shall include all deductions for state and federal withholding taxes, FICA, FUTA, etc.
- Applications shall be signed by both the intended recipient and any committed donor, or donors.

Donation of leave

- All donations must come from eligible district personnel.
- An employee who earns sick leave and has accumulated in excess of one year's annual sick leave earnings is eligible to contribute to an employee who has been approved by the program reviewer to receive leave.
- A donating employee may donate annual leave or sick leave up to an amount not in excess of the amount that could be earned in one year by the donating employee, or twenty percent of the donor's accumulation, whichever is larger.
- A donating employee must submit a donation of leave form to the Director of Human Resources or the Director's designee for approval.
- All donations are conditional until used by the recipient. No donation once used, can be reimbursed to the donor.
- All donated leave must be given to an employee applicant as approved by the reviewer in Human Resources, as needed.
- Eligible employees may donate sick leave days or vacation days.
- All donated leave must be in whole day units.
- Employees may not receive compensation in any form from anyone for the donation of leave.
- Failure to comply with this rule may result in appropriate disciplinary action.

Withdrawal of requested and approved shared leave

Requests for withdrawal of leave must not be commenced until the exhaustion of other leave.

Withdrawal requests must comply with the intended circumstances of this Rule.

All approved shared leave and donations will be reported to the chief financial officer to oversee and assure the transfer of the leave.

Withdrawals approved for leave may not exceed the number of days potentially arranged for the request.

Issued _____

SHARED LEAVE

Code **GCCA** Issued

Purpose: To offer eligible employees with serious medical conditions and/or temporary disabilities an additional option for shared leave.

The Board authorizes the establishment of an employer-sponsored and facilitated shared leave program for full-time, active duty employees who earn sick leave. The purpose of the shared leave program is to provide an additional sick leave option in special circumstances for eligible employees who experience a prolonged absence caused by a serious illness or temporary (non-elective) disability that might not be served under the Sick Leave Bank qualifications, or might not initially qualify under the regular Sick Leave Bank rules.

The voluntary shared leave policy will be implemented in accordance with existing state and federal statutes.

The administration will establish procedures for the efficient and equitable facilitation and implementation of the shared leave program.

Decisions concerning the shared leave program are not subject to appeal to the Board of Education.

Adopted _____