

## APPENDIX G

### SICK LEAVE BANK BYLAWS “SICK LEAVE BANK BYLAWS”

Effective October 1, 1998

It shall be the purpose of the District 186 Sick Leave Bank to benefit those teachers who have, for one reason or another, been forced to be absent from the classroom due to illness, beyond the coverage of their accumulated sick days. Therefore, in full compliance with the negotiated Agreement between the Board of Education, District 186, and the Springfield Education Association, the Sick Leave Board of Trustees, hereinafter referred to as the Trustees, do establish the following bylaws:

1. Any teacher (as defined in the Collective Bargaining Agreement between the Springfield School District 186 and the Springfield Education Association) employed by District 186 shall be eligible to draw from the Bank. First and second year employees (employed on or before November 1) have the right to petition the Sick Bank Trustees for day(s) equivalent to the number of sick days contributed by said individual to the Sick Bank. Teachers will be eligible for full Sick Bank benefits beginning with the third full year of employment. Persons on leave of absence are not eligible for use of the Sick Leave Bank. A teacher may only draw from the Bank for his/her own illness;
2. That before any teacher may draw from the Bank, said teacher shall have made use of all of his/her accumulated sick days;
3. In all cases application to the Sick Leave Bank should be made prior to the exhaustion of the individual's sick days. In the event a teacher's sick leave days are or will be exhausted prior to a scheduled Trustee's meeting, employees may make phone application to a Sick Bank Trustee by calling the SEA office as long as written application is made on or within seven calendar days. If written application is made within this time limit, and upon approval, benefits will commence from the date of phone application. If the written application is **NOT** received within seven calendar days, upon approval, benefits will only be payable from the date of receipt of the written application.-

Teachers who do not begin the school year because they are on the Sick Leave Bank or are complying with item 2 will donate their sick leave days for that school year, upon return to teaching, up to the total number of sick leave days available for that school year, whichever is the least.

4. That before any teacher may draw from the Bank, he/she shall have been ill for at least three consecutive school days immediately prior to drawing from the Bank; and shall submit two physicians' certifications of illness as proof of need. In cases of relapse, the three-day qualification period shall not apply;
5. That beginning with the fourth consecutive day a teacher is ill and absent from school, the teacher may be eligible to draw from the Bank. If the teacher is eligible, Bank coverage shall be retroactive to include the three day period required for eligibility, or from the date of application, whichever is later;
6. The Sick Leave Bank Board of Trustees shall hold regular monthly meetings on the date, time and place to be determined by the Committee. At this meeting, any teacher requesting use of the

Sick Leave Bank shall be represented by a person or persons of his/her choice in order to explain their

need for use or continuing use of the Sick Leave Bank. At this meeting, the teacher or his/her representative should be present and prepared to present the following information:

- a. Reasons for which the Sick Leave Bank or continuing use of the Sick Leave Bank will be needed.
  - b. Two state-licensed physicians must substantiate the disability, certifying that the member is disabled and unable to properly perform the duties of his/her position, except for disability due to pregnancy for which only one physician's certification is required. A licensed physician is any individual licensed by the state in which he/she practices as a medical doctor. All licensed physicians must submit their license number on all reports. The second physician cannot be a member of the same group if physician is a member of a physician's group.
  - c. Anticipated duration of need from the Sick Leave Bank.
  - d. Other sources of applicant's employment.
  - e. Other disability insurance coverages.
  - f. The application for acceptance to the Sick Leave Bank (For initial application only. These applications can be obtained from the offices of the IEA/SEA).
  - g. For continuing use of the Sick Leave Bank, a monthly statement on physician's stationery and signed by the physician will eliminate the need for meeting in person with the Committee.
  - h. Non-compliance of informing Bank of a client's condition, as per g. above, on a monthly basis will result in the client being cut from the Bank until the Bank receives a physician's verification of need. Upon receipt of said document, the client will be reinstated.
7. Before a teacher is admitted to the Sick Leave Bank, the procedures in numbers 2, 3, 4, and 5 above shall have been completed. In addition, at the meeting stated in number 5 above, alternatives may be discussed with the applicant to the Sick Leave Bank and/or additional information may be requested as a condition of acceptance to the Sick Leave Bank;
  8. A teacher must notify the Sick Leave Bank Board of Trustees and the Office of Human Resources prior to returning to work;
  9. That a teacher may be eligible to draw the maximum of 180 days from the first day of use over the lifetime employment of said teacher.
  10. That incapacitating injury shall be considered the same as illness. The teacher shall not make a profit from certain other forms of income, i.e., Worker's Compensation, other disability insurance programs, etc. Teachers on Sick Leave Bank cannot be actively employed or increase activity in an ongoing venture that would increase monetary gain;
  11. Nothing in these bylaws shall prohibit the Trustees from investigating an application for sick leave days either before the granting of said days, or during the period in which the teacher is drawing from the Bank. If the Trustees determine that said application or usage may be of an unjustifiable nature, then the Trustees, by unanimous vote, may require the applicant to undergo examination by another physician. The applicant shall be asked to select a physician other than his/her own from a list of doctors composed by the Trustees. The cost of said examination shall be shared by the SEA and the Board of Education. Upon the recommendation of said physician, the Trustees may reject an application and cease granting of sick days. In any case, specific reasons for rejection shall be given. In the event that said days are judged unjustifiable, and the applicant has received said days, the applicant will pay said days back to the Bank;

12. Following the date of a decision rendered by the Trustees, a teacher may, in writing, appeal said decision within 30 calendar days to the SEA Executive Board. The procedures for such hearing will be: both parties involved (Trustees and complaining applicant) must prepare a written statement of their arguments. These must be in the hands of the Executive Committee members 24 hours prior to an Executive Committee meeting. The Executive Committee shall meet in person with the SEA Trustees and complaining applicant prior to rendering a decision;
13. These bylaws will be operable for all teachers making application to the Sick Leave Bank Board of Trustees regardless of the date of illness unless changed pursuant to the number 14 contained herein;
14. These bylaws shall remain in effect and will not be changed unless 30 days' notice has been given to all teachers in writing by the Sick Leave Bank Board of Trustees. Should there be a need to revise the bylaws, said revisions shall not apply to those persons who are currently drawing from the Bank at the time of revision. However, following the termination of the impeding disability, said teacher shall come under the revised bylaws;
15. In all cases, unless stated to the contrary, decisions of the Trustees shall be made by a simple majority;
16. In the case of chronic and extended illnesses, the Trustees are directed to consult with the applicant about the benefits provided by the Teachers' Retirement System under its disability provisions.
17. Failure to comply with these bylaws will result in the loss of benefits.