

# **SICK LEAVE BANK GUIDELINES**

**(October 21, 2020)**

## **Portland Association of Teachers**

Article 17 of the collective bargaining agreement between the Portland Public Schools (PPS) and the Portland Association of Teachers (PAT) establishes a Sick Leave Bank (the Bank) to be monitored through the Contract Administration Committee. The Association can solicit up to four thousand (4000) hours per year from unit members to fund the Bank.

### **General Guidelines**

1. The purpose of the Sick Leave Bank is to alleviate the hardship caused by absence from work necessitated by the employee's extended or recurring serious health condition.
2. To be eligible to apply for sick leave benefits from the Bank, the employee must:
  - a. be in a position covered by the collective bargaining agreement between PPS and PAT;
  - b. require absence from work due to the employee's own serious health condition as defined under FMLA/OFLA;
  - c. have exhausted all of their accumulated sick, reserve sick at 2/3<sup>rd</sup> pay, and personal leaves;
  - d. have an extended or recurring health condition; and
  - e. be on an approved leave through the PPS Human Resources department ("PPS HR").
3. A FMLA and/or OFLA qualified condition, regardless of whether the employee is initially FMLA/OFLA qualified based on employment/hours worked, should be eligible for PAT Sick Leave Bank if the employee is otherwise eligible under paragraph 2.
4. Sick Leave Bank benefits may be used for intermittent leaves meeting FMLA/OFLA standards if the member is otherwise eligible for Sick Leave Bank benefits. Sick Leave Bank benefits will not be granted for routine personal illness or for the care of family members.
5. Assuming eligibility, grants of Sick Leave Bank benefits shall be made on a "first come, first served" basis, based on the date the Sick Leave Bank application is received in the PPS HR Department. PPS shall time-stamp or otherwise record the date of receipt on the application form when received. Documents confirming the medical necessity of the employee's leave request must be received by PPS HR before any award from the Bank will be given.

6. To facilitate action on applications, the PPS and PAT Contract Administration Committee may appoint a subcommittee to administer the Sick Leave Bank.

### **Application for Sick Leave Bank Benefits**

7. Applications to the Sick Leave Bank shall be submitted to PPS HR on the printed Sick Leave Bank Application Form. PPS shall provide a copy of the application and other necessary documentation to PAT for review. Information from a health care provider verifying the applicant's health condition must be submitted in support of the application. Grants will be made for a minimum of five (5) days and up to a maximum of forty (40) days, with the initial grant limited to twenty (20) days. If an applicant needs more than an initial grant of twenty (20) days, a new application with verification of illness may be necessary to request up to an additional twenty (20) days. Additional verification of illness may be requested from time to time.
8. Employees compensated for work-related injuries or illness are not eligible to draw on the Sick Leave Bank.
9. Employees drawing PERS or long-term disability (LTD) benefits will not be eligible to receive a grant from the Sick Leave Bank. However, an applicant could be eligible to receive a grant while waiting for disability benefits to take effect. An applicant shall reimburse the Sick Leave Bank an amount equal to the cost of salary paid out for that time period (*e.g.*, retroactive payment of LTD or PERS benefits) that exceeds one hundred percent (100%) of the per diem salary they would have received had they been actively working.
10. The number of sick leave days granted shall not exceed the number of days absent from work due to a serious health condition. In no case will granting a leave cause an employee to receive more than their per diem salary.
11. Bank grants to employees will not be carried over from one fiscal year to another and all such grants will end at the termination of the fiscal year. The fiscal year for Portland Public Schools runs from July 1 to June 30. If an employee does not use all the days granted to them by the Bank, the unused sick leave days will be returned to the Bank.

### **Contributions to the Sick Leave Bank**

12. Voluntary contributions to the Bank shall be submitted to PAT and PPS on the Sick Leave Bank Contribution Form.
13. An employee may contribute up to 40 hours of sick leave annually. Employees who have submitted notice of resignation are exempted from this annual maximum limit.

14. Hours in the Bank remaining after the maximum of 4000 hours have been granted to approved applicants shall be rolled over into the Bank for the following school year and shall not be returned to contributors.
15. Sick Leave contributions may be made only to the Bank and not to individuals.