

# Clarkstown Teachers Association Sick Bank

## Eighth Draft 9/19/2006

### **Purpose**

The purpose of this proposal is to provide an additional resource for Clarkstown Teachers' Association members faced with serious illness. Very often, we hear about a colleague's plight and feel helpless to assist in some positive and concrete way. This plan has been developed in the spirit of offering such concrete support and assistance by supplementing a member's exhausted sick bank from a common pool of days contributed by CTA members.

The Sick Bank Eligibility Review Panel (SBERP) is made up of three CTA members who have volunteered to review each case on an individual basis and recommend, when an applicant meets criteria, a fair and equitable donation of days, based on the available sick bank, to provide this support. The SBERP will be responsive to individual needs while being responsible to maintain a reserve bank to afford as many applicants who meet criteria access to this support.

### **1. Basic Provisions**

- The Sick Bank Eligibility Review Panel (SBERP) will meet to establish procedures and process for the administration of the bank. The SBERP will be comprised of three CTA members appointed by the president and approved by the executive council.
- Any active CTA member may receive sick bank credits from the bank when approved in accordance with the required provisions. Active is defined as a person currently paying dues.
- There will be no attempt to evaluate a day donated or received on the basis of the pay rate of the donor or the recipient.
- By contract, each CTA member may donate 1 day each year. The maximum number of days for the bank is 250 per year.
- In order to have a better understanding of trends related to catastrophic illness within the district, it would be helpful if the SBERP was able to review the last ten years of attendance records.

### **2. Review and Oversight**

- Applications for sick bank leave will be reviewed by the SBERP.
- The SBERP will recommend approval of Sick Bank Leave to a CTA employee only in cases of serious /catastrophic illness or injury.  
Catastrophic illness or injury means an illness or injury that a physician reports will incapacitate the employee for an extended period of time. This will necessitate taking extended time off from work because the employee has exhausted all his/her sick leave and

other paid time off. This often results in personal and financial hardship.

- The applicant (or his/her agent) for the Sick bank leave must submit a request in writing.
- All requests must be accompanied by a physician's statement, which verifies serious illness or injury (as defined above) of the employee.
- The District physician will review all requests in regard to eligibility and meeting criteria as defined as catastrophic illness.
- All materials submitted to the SBERP will have the applicant's medical reasons for request removed.
- The SBERP will be guided by the physician's statement, the District's physician approval and the applicant's request in determining the number of days to be awarded to the applicant from the bank.
- The SBERP shall keep all applications, physician's reports, Committee determinations and other records confidential to the extent that they are not public record. The SBERP will not be required to disclose the nature of any illness or injury upon which an application for sick bank leave has been filed.
- During the 90-day cycle, the SBERP can reconvene to review the case as a result of any changes in medical status.

### **3. Establishment of sick leave bank**

- There will be an initial call from the CTA for donations of sick days to establish the bank
- There will be subsequent regular, periodic calls for donations
- There will be a call for donations if the sick bank falls below 50 days
- Donations from those eligible to donate will be accepted at any time.

### **4. Eligibility Requirements**

- Applicant must be an active member of the Clarkstown Teachers' Association.
- Applicants must have exhausted all accrued sick days. Applications may be filed in anticipation of this event 20 days prior to exhausting the member's sick time.
- Applicants receiving any other disability compensation (worker's compensation, disability leave) may not concurrently receive sick bank allocations.
- Applicant must have a catastrophic or serious illness.
- Probationary teachers receiving compensation under Article VII (4) are not eligible.

## 5. Donation of days

- A written donation form must be submitted and signed by the donor. By contract, all CTA members may only donate 1 day per year.
- Donation forms must be submitted to Payroll.
- Once the time is donated, it becomes the property of the bank until applicant uses the day. Donation is completely voluntary.
- CTA members who donate a day will become part of the sick bank donor membership and able to receive the maximum number of days allocated. Those who choose not to donate will be eligible for a lesser amount of days.
- Days donated in excess of 250 will be held on a replenishment list for the following year. The CTA membership will maintain a donor list.

## 6. Application Process

- A written application for sick bank leave must be submitted to Mary Ann Prior, Coordinator of Health Services.
- The application must be accompanied by a physician's statement that documents the existence of a catastrophic illness, including diagnosis of condition, the extent of the limitation and the prognosis for recovery in regards to returning to work.
- The District Physician reviews and approves the application as qualifying as catastrophic. In cases of mental health issues, a District appointed psychiatrist would conduct the review of eligibility.
- The sick bank withdrawal will begin on the first day of uncovered sick leave or the date of the submission of the application, whichever is later.
- The total sick bank disbursement plus the CTA member's wages earned cannot exceed the applicant's contracted salary amount.

## 7. Length of leave

- Upon approval of the District Physician, the CTA member will be eligible for an initial allocation of ten sick days. This will allow the committee time to convene and consider the request. These 10 days will be inclusive of the first submission's total days allotted.
- The SBERP will approve day allotments in 3-month cycles. A renewal application may be submitted if additional time is required.
- The **maximum** length of time awarded for a 3 month period will be as follows:
  1. CTA members who are members of the Sick Bank (have donated 1 day) may get up to:

Submission Cycle 1	60 days
Submission Cycle 2	40 days
Submission Cycle 3	30 days
  2. CTA members who are not members of the Sick Bank (have not

donated days) may get up to:

Submission Cycle 1	30 days
Submission Cycle 2	20 days
Submission Cycle 3	10 days

#### 8. Usage of Donated Hours

- **Sick bank leave is meant to help assist the member's burden during illness and not be viewed as providing coverage equal to a member's salary expectations. Allocations made are dependent upon members' requests and the number of days available in the bank.**
- **Days will remain property of the Bank until used and do not become property of the member when allocated.**

#### 9. Special Provisions

- The SBERP reserves the right to evaluate extraordinary circumstances and exceed established guidelines with the approval of the CTA executive council.

#### 10. Termination of Sick Bank Leave

- The recipient receives any type of disability pay.
- The recipient terminates employment with the District.
- The need no longer exists (based on physician's recommendation).
- The bank runs out of days.
- The total number of days requested and granted exceeds limits set.

## Review Process for Sick Bank Requests

