

EFFECTIVE JUNE 16, 2010

GUIDELINES FOR SICK LEAVE BANK

In accordance with its contract with the Buffalo Board of Education, the Buffalo Teachers Federation, Inc., establishes a Sick Leave Bank. The sole purpose of the Sick Leave Bank is to provide additional sick days to its members who have suffered a **prolonged illness** resulting in the individual's inability to perform any gainful employment and whose sick leave accumulation has been exhausted. The Sick Leave Bank will be administered according to the guidelines that follow. All interpretations of these guidelines will be made by a committee of three (3) teachers appointed by the President of the Buffalo Teachers Federation. Guidelines are subject to revision by a unanimous vote of the aforementioned committee.

- A **prolonged illness** is defined as an absence of more than five (5) consecutive teaching days.
1. Membership in the Sick Leave Bank is open to all teachers employed by the Buffalo Board of Education.
 2. Application for membership in the Sick Leave Bank shall be done as follows:
 - a. **New teachers** may join within the first ninety (90) days after the effective date of employment or between June 1st and June 30th.
 - b. **All other teachers** may join between June 1st and June 30th. The appropriate membership forms must be completed in both the aforementioned cases. Membership is effective when the application is stamped "Received" at the BTF Office.
 3. To become a member and maintain membership in the Sick Leave Bank, a teacher must donate a minimum of one day per school year of his/her accumulated sick leave. A maximum of three days per school year may be donated. Membership in the Sick Leave Bank will be continuous without the necessity of filing a new application each year.
 4. A teacher who is presently enrolled in the Sick Leave Bank and wishes to change his/her contribution may do so by filing new application forms between June 1st and June 30th of the given year.
 5. Days donated to the Sick Leave Bank are non-refundable
 6. Members wishing to **terminate membership** must do so by **certified mail only**. Letters should be sent to the BTF Office in care of the Sick Leave Bank. Termination will become effective at the end of the school year in which the request is made.

7. Teachers must be members of the Sick Leave Bank for thirty (30) calendar days prior to the illness for which they are requesting the Sick Leave Bank benefits.
8. Before a member can draw on the Sick Leave Bank, all his/her available sick leave days (excluding personal days) and any paid **Board extensions** must be exhausted. Teachers are eligible for paid Board of Education extensions after completion of ten (10) years of service. (see BTF Contract)
9. The Bank may be **used only by the individual contributor** for his/her personal illness. The Bank may not be used for disabilities of other members of the contributor's family. The Bank may not be used by the contributor to remain away from his/her position in order to assist a member of his/her family who is ill.
10. Benefits granted will not have to be repaid, unless the days are fraudulently obtained. (see guideline #19)
11. Maximum benefits for extended personal illness, subject to the number of days contributed, will be granted as follows:

contribution per year	less than 3 years of service	more than 3 years of service
1 day	40 days*	55 days*
2 days	60 days**	75 days**
3 days	80 days***	95 days***

- * or 10% of the available days, whichever is less
- ** or 13% of the available days, whichever is less
- *** or 16% of the available days, whichever is less

Available is defined as the number of days remaining in the Sick Leave Bank on the date the application is received.

If the prognosis is **life threatening**, a member may be eligible for up to sixty (60) additional days. (see "EXTENDED BENEFITS" on page 4)

12. Members of the Sick Leave Bank may **apply for benefits** by completing an Application for Benefits. Upon request; this form along with a physician's statement and guidelines, will be mailed to the member by the SBF Office (881-5462). In cases involving **psychiatric conditions**, such as anxiety, stress or depression, the member must have a physician's statement submitted from a certified **psychologist or psychiatrist**. No action will be taken until both these forms are received by the Sick Leave Bank Trustees.

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All requests to draw from the Bank must be made on the approved form and submitted to the SLB Trustees within six (6) months of the date the sick leave exhausted.

13. Benefits for all illnesses will be granted only once per five (5) calendar month period.
14. Reoccurrence of the same illness, when separated by a return to work of five (5) calendar months or more will be regarded as an entirely new illness with new Sick Leave Bank benefits available. In computation of the five-month period, summer months are counted.

Notwithstanding the foregoing, nothing contained herein shall preclude a member of the Sick Leave Bank from attempting a return to work, for **TWO** trial periods of up to **FIFTEEN (15)** consecutive school days **EACH**. If such member shall be unable to perform the normal duties of his/her position, during or at the end of said trial period, as a result of the illness or disease, as substantiated by a physician's statement, the member shall then be eligible for the remainder of benefits entitled to.

15. The Sick Leave Bank Trustees may, in their sole discretion, require a member requesting and/or receiving benefits to submit to examination by a doctor of the Sick Leave Bank's choice.
16. A majority vote of the Trustees of the Sick Leave Bank is necessary to approve an application for benefits.
17. All applicable sections will be **pro-rated for part-time** teachers.
18. After an applicant has drawn sick leave days from the Bank, he/she shall be required to submit **updated medical** and/or psychiatric reports **EVERY EIGHT (8) WEEKS DURING RECEIPT OF BENEFITS**. Such reports should be completed by the physician and **submitted directly** to the SLB Trustees by US Mail or fax. At this time granting of days may be suspended.

If the updated medical was sent by fax, the physician must also mail the original to the Sick Leave Bank.

19. Should it be determined that a member is drawing Sick Leave Bank days fraudulently, he/she shall be required to pay all fraudulently obtained funds and shall be prohibited from receiving benefits for a period of two (2) years.

20. Teachers applying for Sick Leave Bank benefits due to a **work related injury** must complete a Worker's Compensation application and must provide a copy for the Sick Leave Bank.
21. Teachers receiving benefits must be under the continual care of a physician, and/or psychiatrist or psychologist.
22. Every effort will be made to notify teachers receiving Sick Leave Bank benefits, ten (10) days prior to the exhausting of their Sick Leave Bank days.
23. A member of the Sick Leave Bank may, upon receipt of a physician's statement supporting such, avail him or herself of benefits on an **intermittent basis** if such is necessary treatment of a life threatening illness or disease.

EXTENDED BENEFITS

In accordance with **Guideline #11** of the Sick Leave Bank Guidelines, provision is made for an additional sixty (60) days of SLB benefits for persons suffering from a life threatening illness.

Life Threatening Illness: A serious illness which is life endangering and which involves a complex modality of treatment,

- a. The teacher requesting additional days must be a member in good standing of the Sick Leave Bank.
- b. The teacher requesting additional days must have exhausted all possible sick leave days.
- c. The teacher requesting additional days must be afflicted with a life threatening illness as attested to by at least one physician. **An additional letter must be sent by the physician to explain in detail the nature of the life threatening illness.**
- d. Request for additional days must be made by the teacher in writing to the BTF Office in care of the Sick Leave Bank.
- e. Extended benefits under this provision may be granted only once in a five (5) period.