

PPP-38 Faculty Sick Leave Bank

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Purpose

The purpose of the Sick Leave Bank is to provide emergency sick leave to members of the program who have suffered non elective personal fitness, injury, disability or quarantine and who have exhausted their personal sick leave.

Administration

The Sick Leave Bank shall be administered by five (5) Trustees appointed by the President of East Tennessee State University. At least three (3) of the appointees shall be faculty who devote a majority of their time to classroom instruction. All appointments shall be for three (3) year terms after an initial appointment of one (1) year for two Trustees, two (2) years for two Trustees and three (3) years for one Trustee. The Trustees will elect a chairperson at their first meeting Trustees shall be eligible for reappointment and any vacancy resulting from expiration of a term, retirement, resignation, discontinuation of employment or death shall be filled immediately by the chief executive officer.

Eligibility

Participation in the Sick Leave Bank is available to regular full-time and regular part-time employees who hold faculty rank. To enroll, an employee must have enough accumulated leave for the initial assessment. Employees with preexisting illnesses are eligible for enrollment, but their participation will be restricted to maximum numbers of hours that can be withdrawn due to a reoccurrence of a preexisting condition.

Administrative Guidelines

- A. All persons employed at East Tennessee State University who are entitled to sick leave under the provisions of Tennessee Code Annotated, 8-50-112, shall be eligible to participate in the Sick Leave Bank.
- B. Those electing to participate in the Bank shall initially have the equivalent of two (2) days or 15 hours of sick leave deducted from their personal accumulated sick leave and transferred to the Bank. Donations of sick leave days to the Bank are nonrefundable and nontransferable with the following exception. In the event that dissolution of the Sick Leave Bank becomes necessary because the institution or branch is closed, or because membership in the Bank falls below twenty (20) individuals, the total days on deposit shall be returned to the participating members at the time of dissolution and credited to their personal sick leave accumulation in proportion to the number of days each has contributed individually. Days returned and credited to an individual shall be rounded to the nearest one half (1/2) day - 3.75 hours.
- C. By written notice to the Trustees, a member may withdraw from Bank participation during the month of October. Membership withdrawal shall result in forfeiture of all days contributed.
- D. Assessed sick leave is non-refundable upon cancellation of membership and nontransferable upon transfer to another TBR institution or area school.
- E. Employees who are granted Bank sick leave shall continue to accrue sick leave and annual leave, if applicable, and service credit for retirement and longevity purposes, during the time they are on Bank sick leave. Also, they will receive credit for any holidays that may occur during the Bank sick leave period.
- F. Members of the Sick Leave Bank shall be eligible to make application to the Bank for sick leave only after having been member of the Bank for thirty (30) calendar days.

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- G. A participant shall not receive any sick leave from the Bank until after having exhausted all personal accumulated sick leave and annual leave, if applicable.
- H. Leave grants from the Bank, approved by the Trustees, shall not be more than twenty (20) consecutive days or 150 hours for which the individual applicant would have otherwise lost pay. Applicants may submit requests for extensions of such leave grants before or after their prior grants expire. The maximum number of days any participant may receive in any fiscal year is sixty (60). The maximum number of days any participant may receive as a result of any one illness, or recurring diagnosed illness, or accident is ninety (90) or 675 hours.

Procedures

- A. The initial enrollment period will begin with notification to employees of the banks establishment. This enrollment period will last forty-five (45) calendar days. Subsequent annual enrollment periods will be during the month of October.
- B. All eligible faculty who elect to join the Bank shall be assessed a number of sick leave hours equivalent to two (2) days as the initial enrollment assessment. All members shall be assessed the same amount of sick leave hours. The assessment of sick leave shall be deducted from individual's personal accumulated sick leave.
- C. Application to participate in the Sick Leave Bank shall be made on the forms prepared and approved by the Trustees, and attached to these guidelines.
- D. The effective date of the Bank will be April 1, 1986.
- E. Subsequent assessment will be made in order to maintain a minimum balance in the bank's reserves. This minimum balance is set at forty (40) days and is subject to modification by the Trustees. The amount of subsequent assessments will depend upon the balance in the Bank's reserves and the number of members. However, a maximum of three (3) days will be assessed for any one assessment.
- F. All requests to draw upon the Bank must be made on a Sick Leave Bank Request Form and submitted to the Trustees within thirty (30) calendar days of the first date Bank usage is requested. A physician's statement, verifying the nature of the illness or injury, and the inability of the employee to work, must accompany the application form. In extreme and unusual cases exceptions may be approved.
- G. The Trustees shall act affirmatively or negatively on all applications with ten (10) calendar days of the application.
- H. The following official forms will be used to operate the Sick Leave Bank:
 - 1. Membership Enrollment Form
 - 2. Request for Bank Sick Leave
 - 3. Notice to Sick Leave Bank Member of assessment of Sick Leave Days
 - 4. Notice of Approved Time Granted

Amendments

Amendments to these guidelines may be made by a majority vote of the Trustees and approved by the President.

- A. In the event a member is physically or mentally unable to make a request to the Sick Leave Bank for use of sick leave days, a family member or agent may file the request.

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- B. If the Trustees determine it necessary, they may require a certificate of condition from the physician of any member requesting leave. Failure to comply will result in denial of any request for use of sick leave days from the Bank.
- C. Sick leave granted a member from the Bank need not be repaid by the individual except as all members are uniformly assessed.
- D. Grants of sick leave from the Sick Leave Bank shall not be made to any member on account of any elective surgery, or illness of any member of the participant's family, or during any period the member is receiving disability benefits from social security or a retirement plan.
- E. A member shall lose the right to obtain the benefits of the Sick Leave Bank by:
 - 1. Resignation or termination of employment
 - 2. Cancellation of participation which is effective on October 31 next.
 - 3. Refusal to honor assessments made by the Trustees.
 - 4. Being on approved leave of absence in a non-pay status for reasons other than illness, injury, or disability.
 - 5. Retirement.
- F. The operation of the Faculty Sick Leave Bank shall exist separately from the regular sick leave accrued to individual's personal accounts with respect to approvals and appeals. The decisions of the Trustees shall not be appealable beyond the Trustees in compliance with TBR guidelines on faculty sick leave banks.
- G. All official forms and records pertaining to the Sick Leave Bank and minutes of the Trustees meeting will be maintained in the personnel office. All records shall be subject to audit by appropriate state officials.
- H. A Bank member must first have his or her supervisor's approval for sick leave before the request for bank leave can be submitted to the Trustees. A physician's statement should accompany any initial request and must include the following information:
 - 1. Nature and cause of the disability
 - 2. The expected duration
 - 3. Prognosis as to the ability to return to work
 - 4. When first treated; is this a reoccurring disability

Application forms are available from the Office of Human Resources.

Source: Tennessee Board of Regents Personnel Guideline No. P-060.