

PERSONAL LEAVE BANK

1.0 SCOPE: This policy establishes an employee personal leave bank.

2.0 PURPOSE: The purpose of the Barbour County Schools Personal Leave Bank shall be to enable full-time employees with personal leave to donate a maximum of two days of that leave per year to provide protection for a fellow full-time employee who has exhausted his/her personal leave days and is suffering from a catastrophic illness or serious accident. This bank is not intended to include such things as elective surgery, normal maternity leave or minor illnesses.

3.0 IMPLEMENTATION:

3.1 Personal Leave Bank Committee

3.1.1 will be composed of Personal Leave Bank members appointed by the Superintendent and shall be composed of the following:

One (1) administrator,
Two (2) professional personnel,
Two (2) service personnel.

3.1.2 a chairperson shall be elected by the committee.;

3.1.3 will determine eligibility for bank days.

3.1.3.1 Each application for bank benefits will be reviewed by the committee, which may, in its sole-discretion, determine whether an employee is entitled to an award of leave from the Bank. Each member of the committee shall maintain the confidentiality of the information received from and about the applicant(s).

3.1.3.2 The determination of entitlement to a leave award shall be based upon a majority vote of the members of the Personal Leave Bank Committee present and eligible to vote.

3.1.3.3 All decisions of the Personal Leave Bank Committee shall be final and shall not be subject to further appeal absent an allegation that the decision of the Personal Leave Bank Committee was based upon unlawful discrimination (race, national origin, age, disability or sex.). Any appeals based on this allegation will be submitted in writing to the Superintendent.

3.2 Membership Eligibility

3.2.1 The Bank is available to all personnel identified by this policy. However, eligibility to be considered for an award of personal leave from the Bank requires a contribution of at least two (2) days of personal leave for each school

year of eligibility. No employee shall be eligible for consideration for a Bank award unless his/her contributions to the Bank are current at the point in time the condition giving rise to the application for an award arises.

3.2.2 Each employee may contribute no more than two (2) days of personal leave per school year. No employee may be coerced or compelled to contribute to the Bank. Such contribution shall be deducted from the number of days the employee is entitled and shall not reduce personal leave days identified as “no-cause” to which an employee is entitled if sufficient personal leave days are otherwise available to the donor employee.

3.3 Withdrawal of Days

Only members of the Personal Leave Bank shall be eligible to withdraw days. In order for a request to be considered valid and eligible for consideration, the following criteria must be met:

3.3.1 The employee is an active employee eligible to make contributions under the terms of this policy with fewer than five (5) days of accumulated leave.

3.3.2 The employee is the victim of a serious accident requiring a lengthy hospital stay and home recuperation for an extended illness, such as, but not limited to, a heart attack or cancer.

3.3.3 The employee or his representative has completed and submitted the request for Withdrawal of Days Form and a medical certification establishing a basis for a determination that the employee is suffering from a catastrophic medical illness or accident as defined by this policy.

3.3.4 Bank days are only used for an absence due to the purpose for which the leave was transferred.

3.4 Operation of Personal Leave Bank -

3.4.1 Upon approval by the committee, a maximum of 30 days will be deposited in the participant's account, subject to review by the Personal Leave Bank Committee and/or participant. If the number of days to complete the school term is less than 30, the days may be adjusted to the remaining days left in the employee's contract for the fiscal year.

3.4.2 Unused bank days deposited in the employee's account will revert to the bank at the end of each fiscal year or when the employee returns to work whichever occurs first.

3.4.3 Should a member be unable to personally complete an application for use of days, his/her designee may apply for him/her.

3.5 Limitations of the Personal Leave Bank

- 3.5.1 Bank awards may not be used to qualify for or add to service for any retirement system administered by the State. Bank awards may not be used to extend insurance coverage pursuant to W. Va. Code 18A-4-10.
- 3.5.2 Contributions to the Personal Leave Bank shall not reduce personal leave days classified as “no-cause”. However, if a member's sick leave has been exhausted, they may agree to use their no-cause days for continued membership.
- 3.5.3 Upon the termination of employment or the voluntary withdrawal from the bank, the member shall not be permitted to withdraw any days from the bank.
- 3.5.4 No employee may be compelled to contribute to the Personal Leave Bank.

4.0 ADMINISTRATION: The Personal Leave Bank is set up by the Barbour County Board of Education and administered by the committee under the direction of the Superintendent of Barbour County Schools.

AUTHORITY: WV Code §18A-4-10c(a) (1), (a) (2)

Source: Board of Education Minutes

Adopted: 4/28/97

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