

Franklin Special Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Sick Leave Bank	Descriptor Code: 5.3021	Issued Date: 08/11/14
		Rescinds: 5.3021	Issued: 03/12/01

1 The purpose of the Sick Leave Bank¹ is to provide sick leave to contributors to the Bank who have
2 suffered an unplanned personal illness, injury, disability, or quarantine, provided their available sick
3 leave or any other applicable leave has been exhausted.

4 **TRUSTEES**

5 The Sick Leave Bank shall be administered by a Committee of Trustees in accordance with the
6 provisions outlined below. The Committee shall be composed of five (5) members. Membership will
7 include two (2) certified employees and two (2) classified employees. The fifth Trustee shall be the
8 Director of Schools or his/her designee, who shall chair the committee.²

9 **PROVISIONS**

- 10 1. All full-time employees (30 or more hours per week) shall be eligible to participate in the Sick
11 Leave Bank.
- 12
- 13 2. Eligible employees may join the Sick Leave Bank by donating two (2) sick leave days. The
14 Trustees may assess additional days, as they deem advisable. Donations of sick leave to the Bank
15 are non-refundable and non-transferable.
- 16
- 17 3. Sick Leave Bank days may be granted only for instances of illness or injury of the individual
18 member, which would prevent the member from satisfactorily performing the duties of his/her
19 position.
- 20
- 21 4. A member shall not receive any sick leave from the Bank until after exhaustion of all accumulated
22 sick, vacation and personal leave, including all paid Board extension.
- 23
- 24 5. Employees shall enroll during August, September or October of each year. Employees must
25 have an accumulation of at least two (2) sick leave days to enroll. Enrollment shall be made
26 without regard to pre-existing conditions of health at the time of contribution. New employees
27 may contribute within the first thirty (30) days after their effective dates of employment or at the
28 beginning of the new enrollment period. All donations to the Bank are “final” and will not be
29 returned to the donor unless the Bank is dissolved.³
- 30
- 31 6. Members of the Sick Leave Bank shall be eligible to make application to the Bank for sick leave
32 only after having been a member of the Bank for thirty (30) days.
- 33

- 1 7. Each member must sign an enrollment form stating that they are aware of the provisions of the
2 Bank and relieving the Board of Education, the Education Association, and the Trustees from
3 any liability as a result of action taken by the trustees.
4
- 5 8. Employees shall receive benefits from the Bank for their contracted period of employment. No
6 benefits shall be paid for those days when an employee would not normally be in pay status.
7
- 8 9. Grants of sick leave from the Bank shall not be made to any member on account of any elective
9 surgery or illness of any member of the participant's family, or during any period the member is
10 receiving disability benefits from Social Security, the State Retirement Plan, or under the
11 Workers' Compensation Law.
12
- 13 10. The form and manner of application or use of leave from the Bank shall be prescribed by the
14 Trustees and made available at each school and the Director of Schools' office. The Trustees
15 shall either approve or deny all applications within ten (10) days of the receipt of the application.
16 Any recommendation for approval to draw from the Bank must have support of at least three (3)
17 trustees. The decision of the Trustees shall be final.
18
- 19 11. Leave grants from the Bank, approved by the Trustees, shall not be for more than twenty (20)
20 consecutive days for which the individual would otherwise lose pay. Applicants may submit
21 requests for extensions of such leave grants before or after their prior grants expire. The
22 maximum number of days any participant may receive in any fiscal year is sixty (60). The
23 maximum number of days any participant may receive as a result of any one illness or recurring
24 diagnosed illness or accident is ninety (90). If a member is physically or mentally unable to make
25 a request to the Sick Leave Bank for use of sick leave days, a family member or agent may file
26 the request.
27
- 28 12. If a member does not use all days advanced from the Bank, the unused days will be returned to
29 the Bank. All days collectively contributed to the Bank and not used in any one fiscal year shall
30 be carried over to the next fiscal year.
31
- 32 13. All requests to draw from the Bank must be accompanied by a physician's statement confirming
33 the cause of illness or injury and must be signed by the physician. An applicant may be required
34 to undergo, at the applicant's expense, a medical review by a physician approved by the Trustees.
35 Refusal to comply will result in denial of the pending request for use of sick leave days from the
36 Bank. Sick leave granted a member of the Bank need not be repaid by the individual except as
37 all members are uniformly assessed.
38
- 39 14. All records for the Sick Leave Bank shall be kept at the Central Office in the Payroll Department,
40 which handles regular sick leave records. The Trustees shall inform this office of all applications
41 they approve and the amount of additional leave granted any member. Payments will begin on
42 the next regularly scheduled payroll for the member.
43
- 44 15. A member shall lose the right to obtain the benefits of the Sick Leave Bank by:
45 a. Resignation or termination of employment with the local system;

- 1 b. Cancellation of participation which is effective on June 30 next;
- 2 c. Refusal to honor such assessment as may be required by the Trustees;
- 3 d. Being on approved leave of absence with the exception of personal illness or disability
- 4 leave;
- 5 e. Retirement.
- 6
- 7 16. The Bank shall be dissolved when membership falls below twenty (20) or upon a majority vote
- 8 of the Trustees following an open hearing by the Bank membership.
- 9
- 10 17. The enrollment authorization shall remain in effect for the current and subsequent years unless
- 11 cancelled in writing. Cancellation shall be effective on the following June 30. Membership
- 12 withdrawal shall result in the forfeiture of all days contributed.

Legal References

1. TCA 49-5-801
2. TCA 49-5-804
3. TCA 49-5-810

Cross References

- Sick Leave 5.302
Family and Medical Leave 5.305