

PERSONAL LEAVE BANK

The purpose of the Personal Leave Bank shall be to provide additional personal leave protection for those employees who encounter severe personal medical hardship and exhaust their personal leave. This policy is not intended to include such things as elective surgery, normal maternity leave or minor illness.

The bank shall be administered by a committee consisting of representatives, who are members of the Personal Leave Bank, appointed by each of the following:

- .. three (3) members of the Tyler County Education Association;
- .. two (2) members of the School Service Personnel Association;
- ..one (1) School Principal
- ..County Superintendent or designee.

Committee Members shall serve indefinitely or until that employee is no longer a member of the organization he/she represents.

MEMBERSHIP

All full time employees of the Tyler County Board of Education shall be eligible for membership on a voluntary basis. Employees may join by signing a Personal Leave Bank Enrollment Form.

The enrollment period shall be from July 1 through October 15 of each year, except for an employee returning from a leave of absence, who shall be permitted to contribute to the bank within the first thirty (30) calendar days of returning to work, and for new employees, who shall be permitted to enroll within the first thirty (30) calendar days of employment.

New enrollees shall make a one-time contribution of two (2) personal leave days to the "bank", unless the total number of available days in the Personal Leave Bank falls below 31.

If the total number of days in the personal leave bank is depleted to thirty (30), all members will be notified that they must donate one (1) additional day to remain a member. However, no member will be required to contribute more than two (2) days of their own personal leave per school year.

All days donated to the Personal Leave Bank shall remain the property of the "bank," and no contributor shall have any further claim to donated days.

Employees will have a waiting period of six (6) months before being eligible to use days from the "bank."

Days shall not be granted until after an absence of five (5) consecutive work days from the point at which the member's own personal leave days have been exhausted. Upon the fifth consecutive day, the member's request may be granted retroactively. Other than this exception, days in the bank shall not be granted retroactively.

Leave grants, as approved by the Personal Leave bank Committee, shall be made in units of no more than thirty (30) days.

The first thirty (30) days shall be approved by the Personal Leave Bank Committee. If a member requests additional days after 30, the total membership of the Personal Leave Bank will vote to approve the request. The requesting member must still meet the *LIMITATIONS* as defined in this policy.

The Committee will review the applicants' medical evidence, and if the applicant meets the criteria, ballots will be distributed to the members. Ballots must be returned according to the instructions given by the Committee.

No participating employee may withdraw more than a total of sixty (60) days from the Personal Leave Bank in any fiscal year.

Days borrowed from the bank shall be repaid, by the individual, at the rate of four (4) days per year until all "borrowed" days are repaid.

The "bank" may be used solely by the individual contributor for his or her serious personal illness. It may not be used to remain away from one's job in order to care for a family member who is ill; nor may it be used by a member disabled by an injury covered by Workers' Compensation.

Normal pregnancies shall not be considered as eligibility for "bank" days, unless there are extreme medical complications, in which case the Personal Leave Bank Committee may grant an exception.

Bank days may not be used to extend insurance coverage, pursuant to WV Code 5-16-12.

LIMITATIONS

- a. An applicant may be required to undergo a medical review by a physician of the committee's choice at any time at the member's expense.

- b. Personal leave for serious emotional/psychological problems may be granted when:
 - 1. A problem is certified by a licensed psychiatrist/licensed psychologist; and
 - 2. An applicant is enrolled in a rehabilitative program of at least two (2) or more visits per week. Documentation must be provided.

- c. Personal leave for alcohol/drug related illnesses may be granted when:
 - 1. certified by a licensed physician; and
 - 2. an applicant is enrolled in a rehabilitative program accepted by the Personal Leave Bank Committee. Documentation must be provided.

- d. The Personal Leave Bank Committee has discretion in the awarding of days from the bank, even though the aforementioned criteria is met.

WITHDRAWAL:

Individuals may withdraw membership in the Personal Leave Bank, by submitting written notification to the County Payroll Clerk.

Termination of employment with the Tyler County Board of Education shall constitute automatic withdrawal from the "bank," effective the last day of employment.

Upon voluntary withdrawal from the "bank" or termination of employment, the individual shall not be permitted to withdraw any days from the Bank.

REFERENCES: WV Code 18A-4-10; 5-16-12

Dates: 9/7/04 (Approved), 4/5/04 (Revision), 8/07/95, 7/2/90, 7/5/05, 8/18/08, 8/1/11