

HERKIMER COUNTY CSEA SICK LEAVE BANK RULES

Purpose:

The aim of the Sick Leave Bank (SLB) is to assist its members through periods of severe financial crisis due to prolonged illness of a member when their own sick leave, compensatory or other creditable time has been exhausted.

RULES:

- 1) Applicants for SLB membership, and current members, must be CSEA bargaining unit members employed in positions listed as “included” in Exhibit “B” of the current CSEA contract and be eligible for benefits under that contract.
- 2) To join, applicant must donate two (2) sick leave days at the time of initial formation of the SLB or upon joining; followed by the donation of one (1) sick leave day on December 31 of each year.
- 3) Other than upon the initial formation of the SLB, employees may only make application to join during the month of December each year. Such application must be in writing. No employee is considered a member of the SLB until two (2) days of sick leave have been withdrawn from his/her record and credited to the SLB. There will be a three-month waiting period prior to eligibility for usage for all new members joining the Bank.
- 4) Requests for days from the SLB may only be granted after all possible paid days off are exhausted; i.e., sick leave days, vacation, compensatory time, personal time, etc.
Members must have at least **five (5) sick leave days of their own on the books at the onset of injury or illness which is the reason for them to apply for Bank time. Time accrued while drawing from the SLB must be used prior to any further use of SLB time.*
- 5) Applications for SLB credits must be made at least **(10) days** prior to the employees accumulated time expiring.
- 6) All requests must be made by use of a form provided by the Committee and must be accompanied by a physician’s statement which shall include a diagnosis and prognosis. Requests may be granted only for periods for which a physician has verified that the member is disabled from work.
- 7) The maximum usage for crisis assistance will be based upon length of membership in the SLB at the time of request in accordance with the following schedule **(available number of hours in the Bank may limit the assistance the Committee is able to provide):*

<i>First Year</i>	<i>10 days</i>
<i>Second Year</i>	<i>15 days</i>
<i>Third Year</i>	<i>25 days</i>
<i>Fourth Year</i>	<i>40 days</i>
<i>Fifth Year – on</i>	<i>45 days</i>

**In any given calendar year, Bank members will be eligible for only the maximum number of days listed above.*

- 8) Each request for withdrawal will be reviewed on an individual basis by the SLB Committee, which shall have the right to inspect the employee's work attendance records and records of previous use of leave credits, before a decision is made. The purpose of the SLB is not to offer additional time off with pay, unless warranted, and all employees are advised to use their sick leave prudently. If abuse is noted, the SLB Committee reserves the right to deny the employee's request. The SLB Committee shall have the right to approve or deny applications for withdrawal and their decision will be final.
- 9) At such time that the member returns to work or that the physician has stated that the individual is capable of resuming the duties of his/her position, any unused days will be returned to the Bank. Any misuse or abuse of time granted to a member, as determined by the Committee, may affect future decisions on requests submitted by that member.
- 10) Generally, periods of disability covered by Workers' Compensation awards are not considered to represent periods of financial crisis and are not eligible for sick leave bank time. However, the committee will review any requests for time on an individual basis, taking into account any circumstances and evidence provided by the member supporting their financial crisis. When a member has been reaccredited with sick bank time from the SLB pursuant to a Workers' Compensation decision, the same shall be reaccredited to the SLB and not to the individual employee.
- 11) Use of the SLB is for the use of the member, not inclusive of family members or pregnancy.
- 12) If a member withdraws from the SLB, his/her days donated to that point shall remain in the SLB and not be reaccredited to that employee.
- 13) Any balance in the SLB remaining on December 31 of each year shall be carried over to the SLB for the following year.
- 14) A Committee consisting of two (2) from the County who will be appointed by the Chairman of the Legislature or his/her designee and two (2) from the Union who will be appointed by the President of the Union unit or his/her designee, shall establish the rules and govern the use of the SLB.

Revised 02/07/2011
SLB Committee