

# Roane County Schools

## Bylaws & Policies

### 3432 - PERSONAL LEAVE BANK

#### Establishment

An employee personal leave bank [the Bank] is hereby established by the Board of Education.

The bank is established jointly for professional personnel.

The bank will be administered by the Finance Department. Contribution forms may be obtained from the Finance Office.

#### Membership

##### A. Availability

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.

##### B. Contribution of Personal Leave

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 without cause to which an employee is entitled if sufficient personal leave days are otherwise available to the donor employee.

##### C. Limitations

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 5-16-13.

#### Provisions

##### A. Award Limitations

1. The maximum number of Bank leave days that may be awarded and used by an employee is thirty (30) days.
2. Bank leave may be only awarded to an active employee eligible to make contributions under the terms of this policy with fewer than five (5) days of accumulated personal leave who is absent from work due to accident or illness of the employee.
3. Bank leave may only be awarded to an employee who the Personal Leave Bank Committee determines is suffering from a catastrophic medical emergency. Catastrophic medical emergency means a medical or physical condition that incapacitates an employee that is likely to require a prolonged absence of the employee from duty.
4. In the event the Personal Leave Bank Committee determines that a catastrophic medical emergency ends before the exhaustion of leave awarded under the terms of this policy, any unused leave days awarded shall revert to the leave bank.
5. The Personal Leave Bank Committee shall not award more days than are available in the leave bank.

##### B. Personal Leave Bank Committee

A Personal Leave Bank Committee (hereinafter the "committee") will be formed to determine eligibility for bank days. The committee will be composed of the Treasurer/Chief Business Officer, the Director of Personnel, a representative from each employee organization, and/or a principal accountant from the payroll office. A chairperson shall be elected by the committee.

#### Benefits

##### A. Bank days as employee withdraws to draw benefits from the bank are

- A. Each time an employee wishes to draw benefits from the bank, an application must be made to the committee, submitting medical certification establishing a basis for a determination that the employee is suffering from a catastrophic medical emergency as defined by this policy.
- B. 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).
  - 1. 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.
  - 2. 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).
- C. An employee may not be credited for more or less than a full day by calculating the value of the leave according to the hourly wage of each employee.
- D. Bank days may be used only for an absence due to the purpose for which the leave was transferred.
- E. Each personal day contributed by the donor shall be credited to the receiving employee as one full personal leave day.

#### **Records**

All applications for leave bank awards and any reports submitted or generated in connection with such applications shall be maintained in a separate, secure file located in the Finance Office.

W. Va. Code 18A-4-10

Adopted 9/16/08

Revised 6/28/12

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