

Membership Rules and Procedures
FASSE-FCPS Employees Sick Leave Bank

Statement of Intent

The purpose of the Sick Leave Bank (the Bank) is to provide sick leave to Bank members after their accrued and current year projected sick leave have been used. The Bank is to provide sick leave only in cases of prolonged, catastrophic, incapacitating personal illness, injury, or quarantine of the member during the regularly scheduled duty day, which is not likely to permanently disable the member.

Membership

1. Effective July 1, 2023, all new employees will be automatically enrolled in the Sick Leave Bank and make an initial contribution of one (1) day.
2. A new hire wishing to cancel their membership must submit an opt out form to the senior human resources officer within thirty (30) calendar days of their hire date.
3. Employees returning from extended leave may become members by donating one (1) day of sick leave within thirty (30) days of the date of reinstatement to active service.
4. Employees hired prior to July 1, 2022, who wish to join will be considered a new enrollee. New enrollees will be eligible to enroll from July 1 through October 1 and must make an initial contribution of two (2) days.
5. To remain a member of the Bank, an employee must contribute to the Bank at the rate of one (1) day per year
6. All new members/enrollees will be eligible to apply for a grant after a wait period of 180 calendar days.
7. Forms to join the Bank should be submitted to Human Resources. Forms to request sick leave from the Bank should be submitted to the Bank committee at the FASSE office.
8. Any regular FCPS employee whose work assignment is half time or more, and who is not eligible to participate in the FASSE Sick Leave Bank, is eligible to participate in the Bank after all other membership requirements are met.
9. Membership in the Bank will remain in force and continue from year-to-year with a deduction made automatically as required unless membership is canceled in writing by the member before July 1.

RULES

1. The Bank may be used only by the individual contributor for his or her illness, injury, quarantine and must meet ALL the following criteria:
 - a. Personal
 - b. Prolonged
 - c. Catastrophic
 - d. Incapacitating
2. The Bank may NOT be used by the member to remain absent from work in order to assist a family member
3. Only sick leave may be contributed to the Bank. Annual and personal leave may not be contributed.
4. For the purposes of administration of the Bank, sick leave is defined as:
 - a. A designated amount of compensated sick leave granted to an employee whose absence is due to an illness, injury, or quarantine which meets the requirements of rule 1 (above).
5. Sick leave may not be granted to any period of disability during which monies are paid to the member under worker's compensation. If a member who has utilized sick leave days granted by the Bank thereafter received benefits under the Workers' Compensation Act for those same days, pay will be administered in accordance with the Negotiated Agreement language on worker's compensation and the Bank will be reimbursed for any days used.
6. Elective (non-emergency, non-life threatening) surgery will not be covered during the school year for members who work less than twelve (12) months.
7. A member must be absent for five (5) consecutive workdays before being eligible for a grant from the Bank for that same illness, injury, or quarantine. Those five (5) days may be covered by the member's accumulated sick leave, personal leave, annual leave, or leave without pay in accordance with the prevailing policy. Once the five (5) consecutive workday eligibility requirement has been met, subsequent intermittent absences for the same condition will not cause ineligibility.
8. Twelve (12) month support employees must exhaust annual leave after a grant of twenty-five (25) days to extend the SLB grant within the fiscal year.
9. Members must submit request for the sick leave bank to the Bank committee chair at the FASSE office.
10. Requests must be made within fifteen (15) calendar says of return to work.
11. Any person who is a member of the FASSE bargaining unit will be eligible to participate in the bank. However, non-members of FASSE must pay a \$75 Administrative Fee to FASSE per Sick Leave Bank request **(Article 6.02 (b) of the Negotiated Agreement)**
12. The Bank will request additional information if unable to reach a decision regarding the request.
13. All requests to draw upon the Bank must be accompanied by a signed physician's statement detailing the cause, nature, and prognosis for the illness, injury or quarantine.
14. The decision of the sick leave bank committee shall be approved by the Human Resources Personnel Officer unless the decision is inconsistent with sick leave bank regulations or is unsupported by documentation. Leave grants from the Bank will be made in units of not more than twenty-five (25) days (except in extreme cases as determined by the committee) and will not exceed fifty (50) days in any fiscal year. The maximum number of sick leave days that will be granted during any two (2) consecutive fiscal years is one hundred (100). Members who draw the maximum one hundred (100) days in two (2) fiscal years are ineligible to participate for the next fiscal year. When medically verified, employees may be allowed to use leave in one-half (1/2) day increments.

15. In cases where the committee recommends denial of either a request for leave, or additional leave, the Bank will notify the member directly in writing the reason for the denial. A member may appeal directly to the FASSE Board of Directors through the President within thirty (30) days of the denial.
16. A contributor will lose the right to request leave from the Bank if one (1) or more of the following occur:
 - a. Termination or suspension of employment by FCPS.
 - b. Cancellation of participation which is effective only at the close of a fiscal year, June 30 of each year.
 - c. Refusal to provide requested information upon request of the sick leave bank committee.
 - d. Refusal to contribute leave in accordance with membership requirements.
 - e. Use of one hundred (100) days during two (2) consecutive fiscal years.
 - f. Refusal to apply for disability retirement benefits if the committee determines *based upon the doctor's statement that the member may be unable to return to work.*
17. The existence of the Bank and participation by employees in the Bank does not negate or eliminate any other FCPS sick leave policies, nor does it in any way negate the rights of individual employees who participate in the Bank to other sick leave benefits included in the FASSE-Board of Education Agreement.

Administrative Procedures

1. One (1) day of sick leave will be deducted from the member's sick leave account in the second pay period in October each year and will be placed in the Bank unless written notice of cancellation is given prior to July 1. Contributions to the Bank must be authorized by the employee on the appropriate form, available in the department of Human Resources. The annual contribution of one (1) day will be continued from year-to-year until canceled in writing by the member. Additional days may be assessed if the Bank has a negative balance at the end of the school year. Members will be notified prior to any additional deduction.
2. The president of FASSE will select employees to serve on the sick leave bank committee and shall submit their names to the FASSE Board of Directors for approval. FASSE will provide the names of the sick leave bank committee, in writing, to FCPS Human Resources Department by June 30 of each school year.
3. The Bank will approve all donations before they are forwarded to the Human Resources department.
4. The committee will review and recommend to the senior Human Resources manager approval or denial of all requests for leave from the Bank within fifteen (15) working days of receiving the request.
5. All requests to draw upon the Bank must be made on the appropriate form.
6. Non-members (FASSE) must pay an Administrative Fee of \$75 for each sick leave bank request to FASSE before any request is considered. (Article 6.02 (b) Negotiated Agreement 2026-2027).
7. When the committee deems a second opinion is appropriate, any member requesting leave may be required to undergo a medical examination and consultation by a physician of the committee's choice at the applicant's expense. Any member not wishing to submit to this requirement may withdraw their request without affecting future membership.
8. In the event a member is unable to personally complete the leave request form, an agent or family member may act on their behalf.
9. An employee must use all sick leave that will be accrued for the current fiscal year before requesting leave from the Bank. An adjustment will be made on the final paycheck to reflect any negative balance in sick leave. If the amount on an employee's paycheck is to be adjusted, said employee will be notified. In no case will the granting of leave from the Bank cause a member to receive more than his or her regular salary.
10. The payroll department will maintain records of all member contributions, withdrawals, cancellations and the status of the bank.
11. Any Bank member may review their membership application form, request for withdrawal of membership and approved request by contact the Bank committee chair at the FASSE office.
12. If the judgment of the committee, an applicant for leave, or an extension of leave, is eligible for disability retirement benefits, the committee may require the employee to apply for such benefits. Failure to apply as directed may result in disqualification from receipt of further benefits. The employee will continue to receive Bank benefits while waiting for a decision regarding disability retirement up to the allowable cap. Bank benefits shall cease when the disability retirement becomes effective. The member is required to notify the Bank of approval of any applications for disability retirement.
13. If an applicant receives an initial grant or an extension of a grant, and they are found to be ineligible for disability retirement, the committee may refer the member to a doctor of the committee's choice at the member's expense for an evaluation as to whether the applicant is permanently disabled. If the doctor certifies that the applicant's request for a grant or an extension of a grant is medically necessary, the committee will grant the required number of days, up to the allowable maximum.