
SUBJECT: SICK LEAVE—LICENSED

I. Board Directive

It is the policy of the Board to authorize paid sick leave benefits for licensed personnel who work 20 hours per week or more and to comply with requirements of [Public Law 103-3, Family and Medical Leave Act](#). The Board delegates to the Administration responsibility for establishing guidelines for sick leave and family leave benefits. Sick leave runs concurrent with Family Medical Leave Act (FMLA) and Workers Compensation. Refer to [Policy DP322 NEG- Family Medical Leave Act](#).

II. Administrative Policy

A. Definitions

1. Immediate family is defined as husband, wife, daughter, son, father, mother, brother, sister, or other person residing in the employee's home on a permanent basis. Special circumstances may be appealed to the Sick Leave Review Committee for consideration of immediate family status.
2. Continuous service includes an approved leave of absence, sabbatical leave, sick bank, military and/or FMLA leave.
 - a. A resignation or retirement constitutes a "break in service."
 - b. Employees returning to Jordan School District following a break in service will receive a new continuous service date reflecting the date of their return.
 - c. District seniority will be based on the new continuous service date.
 - d. Prior employment experience with Jordan School District may be taken into consideration for purposes of placement on the salary schedule.
3. Sick Leave Review Committee
 - a. The group organized to review sick bank requests and cases of suspected sick leave abuse.
 - b. Shall be composed of at least one of the Human Resource administrators, the Human Resource Generalist, and two members appointed by the president of the licensed employee agent.
 - c. Sick Leave Review Committee members must sign a confidentiality agreement to protect employees' medical information and confidentiality.

The sick leave policy shall be administered according to the following administrative policy provisions:

B. Sick Leave Accumulations

1. Sick leave accumulations are based on unused annual leave. See Policy DP335 NEG Annual Leave - Licensed for annual leave details.
2. Annual leave does not need to be exhausted before sick leave can be used.
3. Maximum accumulations:

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179 and 187-day contracts (9 month)	180 days
245-day contracts (12 month)	240 days

C. Sick Leave Benefits During Approved Absences

1. Interruptions of work for sabbatical leave, educational leave, or other authorized leaves shall not be considered a break in continuous service. Should an employee be granted a leave for any reason, he/she will keep his/her number of cumulative sick leave days to be used upon return, but shall not be considered for sick leave during the time of leave.
2. Employees returning from authorized leaves shall receive accumulated sick leave benefits according to the policy in force at the time the leave began except when the policy is changed as a result of negotiations.

D. Use of Sick Leave for Critical Family Care

1. Although sick leave is intended for use by the employee for personal health-related absences, some sick leave may be used for critical family care as described below. Annual leave should be used for non-critical care of an ill family member.
2. A maximum of fifteen (15) days of sick leave may be used each year to care for a critically ill member of the immediate family or critically ill person residing on a permanent basis in the employee's home.
3. Use of sick leave for critical family illness must be authorized by the Sick Leave Review Committee. The employee must submit his/her request in writing by applying online via Employee Access.
4. Employees may not apply for critical family illness benefits until five (5) annual leave days have been used.
5. If more days are needed, employees who continue to deal with a critical family care (as defined in item D.1. above) may apply to the Sick Leave Review Committee for up to fifteen (15) additional days.
6. If additional days are granted, the cost of a long-term substitute for each additional day of leave shall be deducted from the educator's pay.

E. Use of Sick Leave for Adoption

1. Employees may use up to a maximum of twenty (20) accumulated sick leave days at the time of actual custody of the child.
2. Any additional leave must fall under the policy provisions of [DP322—Family Medical Leave Act](#).

F. Notification of Absence

1. Employees are required to notify their immediate supervisor as soon as they know that they will be absent from work.

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2. The employee shall record the absence in Skyward at least one hour prior to the start of his/her contract day on the day of the absence. A supervisor may require additional notification.
3. If a substitute must be hired, the employee shall enter the request into Frontline (formerly known as AESOP) at least one hour prior to the start of his/her contract day on the day of the absence.
4. Employees may be required to verify the nature and duration of an illness or injury with a doctor's certificate.
5. Employees absent in excess of (5) days for the same medical reason may be subject to the parameters of FMLA and may prompt contact with the Human Resource Generalist.

G. Abuse of Sick Leave

1. Administrators shall periodically review sick leave usage.
2. If an abuse of sick leave is suspected, the administrator shall confer with the employee and, if necessary, ask the Sick Leave Review Committee to review the case. Cases will be reviewed according to Administrative Guidelines developed by the Sick Leave Review Committee.
3. If it is determined that an abuse of sick leave has occurred, the following actions shall be taken:
 - a. The sick leave benefits which were paid inappropriately shall be reclaimed from the employee.
 - b. The employee shall be suspended for five (5) days without pay during the next pay period.
 - c. A reprimand shall be entered in the employee's personnel file.
4. A second proven abuse of sick leave may result in immediate termination.

H. Employee-Funded Sick Bank

1. Employee Participation in the Sick Bank
 - a. Employees are automatically enrolled in the sick bank each year through the annual donation of one (1) annual leave day to the sick bank.
 - b. Each year, employees wishing to opt out of participation in the sick bank must annually complete the appropriate online form in Employee Access no later than September 1 for current employees and October 1 for first-year employees.
 - c. Employees who have been offered a temporary transitional duty assignment due to a work-related injury, who refuse the temporary transitional duty assignment, will not be eligible for Sick Bank.
2. Use of the Sick Bank
 - a. The purpose of the sick bank is to support employees in time of personal medical need. The sick bank is not intended to be used for short-term, in-and-out absences, elective medical procedures or other medical care that could be scheduled during non-contract time.
 - b. Medically documented intermittent leave for long-term illness may be approved.
 - c. Days from the sick bank shall be granted to eligible employees only after all accrued sick leave and annual leave days have been used.

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- d. Employees will be required to sign a release of medical information when making application to the sick bank.
 - e. A combination of continuous years of service and accumulated sick leave days shall be used to determine the number of sick bank days which an employee qualifies to receive and any pay loss to be sustained. (Years of service shall be computed in accordance with established guidelines for salary step movement.)
3. Sick Bank Allowances
- a. First or second year employees shall be allowed up to 10 days from the sick bank at full pay less the cost of the substitute for each day the employee falls below 13 days of accumulated leave at the beginning of the long-term absence
 - 1) In cases of catastrophic illness or injury, the Sick Leave Review Committee may grant second year employees up to 30 additional days of sick bank after all sick bank days have been exhausted. The cost of a long-term substitute shall be deducted for each additional day used under this option.
 - b. Third year employees shall be allowed up to 40 sick bank days at full pay less the cost of the substitute for each day the employee falls below 15 days of accumulated leave at the beginning of the long-term absence.
 - 1) After all sick bank days allowed according item b. are used, third year employees may be granted up to 40 additional sick bank days if circumstances warrant it. The cost of a long-term substitute shall be deducted for each additional day used under this option.
 - 2) In cases of catastrophic illness or injury, the Sick Leave Review Committee may grant third year employees sufficient sick bank days to cover their transition to long-term disability after all of the sick bank days provided have been exhausted. The cost of a long-term substitute shall be deducted for each additional day used under this option.
 - c. Employees with four or more years of service shall be allowed up to 120 days from the sick bank at full pay less the cost of the substitute for each day the employee falls below 15 days of accumulated leave at the beginning of the long-term absence. (A maximum of 15 days' long-term substitute costs will be deducted.)
4. Sick Bank Limitations
- a. Prior to granting sick bank days, an employee shall agree in writing to repay compensation at his/her daily rate of pay for sick bank days used or granted if he/she terminates employment with the District for other than medical reasons before completion of the current and succeeding contract year.
 - b. The illness/injury must be medically documented with a statement bearing an original signature from the attending physician. The verification of absence form may not be stamped with a physician's signature or signed by the attending nurse, office manager, etc.
 - c. A second opinion may be required with any costs not covered by insurance borne by the District.
 - d. When an employee requests sick bank days more than once within a 48-month period for an unrelated illness, a three (3)-day loss of pay shall be required before sick bank days are

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granted. Use of sick bank days shall be limited to 120 days within a 48-month period. The employee will also be required to meet all other qualifying criteria.

- e. Under catastrophic conditions, employees may appeal to the Sick Bank Review Committee for a waiver of pay loss provisions. The Committee shall review the employee's attendance record and other related factors and either grant or deny the waiver based on the findings. No appeal beyond the Sick Bank Review Committee is provided.

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