



FILE: GBRIBB

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## SICK LEAVE BANK

The East Baton Rouge Parish School Board recognizes that major illnesses and catastrophic injuries may warrant the need for additional sick leave by an employee. The Board shall create and maintain a *Sick Leave Bank* which provides an opportunity for employees to donate sick leave days, which in turn may be used by employees in emergency situations when their own sick leave days have been exhausted.

Donations of sick leave days may be made to the Sick Leave Bank and/or to individual employees, shall be made by notarized *Acts of Donation Form*, and shall be made in accordance with other provisions of this policy. Once executed, any donation made shall be *irrevocable*.

Receipt of sick leave days from the Sick Leave Bank shall be based on a written application submitted by an employee to the Superintendent and/or his/her designee. Assessment and any decisions regarding the granting of days from the Sick Leave Bank shall be the responsibility of the Superintendent or his/her designee. His/her decisions shall be *final*, and such decisions may be subject to review by the School Board or subject to the Board's grievance procedures.

### ADMINISTRATION OF SICK LEAVE BANK

Donations of sick leave days shall be made directly to the Sick Leave Bank or individuals. Three (3) separate accounts shall be established within the Sick Leave Bank: one for teachers, one for bus operators, and one for school employees (classified). Donations to the Sick Leave Bank shall be credited to the appropriate account depending on the classification of the donor.

Applications for receipt of donated sick leave days from the Sick Leave Bank shall be in writing on the medical certification form and include a statement from a licensed physician certifying a *medical necessity* for the employee to be absent from work. The application shall be submitted at least twenty (20) work days prior to the anticipated beginning date of leave. In cases of extenuating circumstances, the Superintendent or his/her designee may waive or alter the application deadline. Upon review of the applications, if questions about the validity or accuracy of the certification arise, the Superintendent or his/her designee may require additional medical certification as outlined under *Extended Sick Leave* in policy [GBRIB, Sick Leave](#).

*Medical necessity* shall be the result of a catastrophic illness or injury, which means a life-threatening, chronic, or incapacitating condition of the employee or a member of his/her immediate family. *Immediate family member* shall mean a spouse, parent, or child of the employee.

All records generated in the administration of the Sick Leave Bank, as well as the confidentiality of applicable records, shall be properly maintained by the Superintendent and staff in accordance with statutory provisions.



### Donor Eligibility

1. Employees who wish to donate accrued sick leave days must have been actively employed by the School Board for a period of twelve (12) consecutive months as of the date of the intended donation.
2. Only employees with a balance of more than fifty (50) sick leave days as of the date of the intended donation shall be permitted to donate to the Sick Leave Bank. No donation shall be permitted which causes the donor's sick leave balance to fall below fifty (50) days. A maximum of ten (10) days may be donated in a fiscal year. An individual may make only one (1) donation in a fiscal year.
3. Employees wishing to donate sick leave shall complete the appropriate *Act of Donation Form*. The donation shall irrevocably relinquish all future claims and rights to such donated sick leave. The days donated shall be permanently deducted from the total number of accumulated sick leave days the employee has on the date the donation is approved.
4. All donations shall be strictly voluntary.
5. No transfer shall become valid until all forms, verifications and signatures have been completed and signed by the Superintendent or his/her designee.
6. All donations shall be in units of whole days.

### Recipient Eligibility

1. Recipients shall be actively employed by the School Board at the time that medical necessity is determined.
2. Recipients shall have been employed by the School Board for at least thirty-six (36) consecutive months as of the date of the intended usage.
3. Employees who are recipients shall have exhausted all current and accumulated sick leave. Donated sick leave and any other applicable leave to which the employee may be entitled may be applied. After all other leave has been exhausted, extended sick leave will be applied. In addition, those employees who receive annual leave shall have exhausted all annual leave time before becoming eligible to receive sick leave days from the Sick Leave Bank.
4. The maximum number of sick leave days that may be granted to a recipient at one time shall be twenty (20) work days per fiscal year.
5. Of those days granted, any remaining unused at the end of the fiscal year shall be returned to the Sick Leave Bank.
6. A separate application shall be submitted for each occasion that an employee may request receipt of sick leave days from the Sick Leave Bank. Each application shall include necessary documentation attesting to medical necessity. The physician's certification must address



circumstances relative to each separate request. The separate application requirement may be waived by the Superintendent as circumstances may warrant.

7. Donated sick leave shall not be used on an intermittent daily basis.

#### Miscellaneous Provisions

1. The Superintendent or his/her designee shall be authorized to make determinations and clarifications of these provisions. All determinations and clarifications made by the Superintendent or his/her designee shall be **final**.
2. All transactions shall become part of the permanent personnel files of the employees. *Act of Donation Forms* shall be placed in donor personnel files depicting the actual number of days deducted from accrued sick leave days on file after the donation is made.
3. The number of days withdrawn from the Sick Leave Bank shall not exceed the number of days available within the appropriate account of the Bank.

Revised: December 20, 2012/ March 16, 2023

Ref: La. Rev. Stat. Ann. §§[17:81](#), [17:500.2](#), [17:1202](#), [17:1205](#), [17:1206.2](#)

La. Civil Code, [Art. 1541](#), [Art. 1542](#), [Art. 1833](#)

Board minutes, 4-2-98, 12-20-12

East Baton Rouge Parish School Board