

SICK LEAVE BANK GUIDELINES

OFFICIAL - Effective June 26, 2024

In accordance with its contract with the Buffalo Board of Education, the Buffalo Teachers Federation, Inc. established a Sick Leave Bank (SLB). The sole purpose of the SLB is to provide additional sick days to its members who have suffered a prolonged illness* resulting in the individual's inability to perform any gainful employment and whose sick leave accumulation and contractual board extensions have been exhausted. The SLB will be administered according to the guidelines that follow. All interpretations of these guidelines will be made by a committee of three (3) teacher trustees appointed by the President of the Buffalo Teachers Federation and approved by the Executive Committee. Guidelines are subject to revision by a unanimous vote of the aforementioned committee of teacher trustees (SLB trustees).

* A prolonged illness is defined as an absence of more than five (5) consecutive workdays.

1. Membership in the SLB is open to all teachers employed by the Buffalo Board of Education.
2. To become a member and maintain membership in the SLB, teachers must donate a minimum of *two* days per school year of their accumulated sick leave. A maximum of *four* days per school year may be donated. Membership in the SLB is continuous and does not require members to re-enroll each year.
3. Enrollment for membership in the SLB shall be done as follows:
 - a. Newly-hired teachers may join within the first ninety (90) days following the effective date of employment or between June 1st and June 20th. They are eligible to utilize the SLB on the date their enrollment and authorization cards are stamped "Received" by the SBF Office, provided they join within 90 days.
 - b. All other teachers may join between June 1st and June 20th.
 - c. The appropriate membership forms must be completed in both of the aforementioned situations. Membership is effective when the enrollment and authorization cards are stamped "Received" at the BTF Office.
 - d. Confirmation of membership, as well as any changes in their contribution, will be sent to members within 30 days of receipt.
 - e. Except for newly-hired teachers who join within their first ninety (90) days (see 3a), teachers must be members of the SLB for 30 calendar days prior to the illness for which they are requesting SLB benefits. (See also #5.)
4. Teachers who are presently enrolled in the SLB and wish to change their contribution may do so by filing new enrollment and authorization forms between June 1st and June 20th of the given year for changes to take effect in September of that same calendar year.
 - a. Any members who have not used SLB days after June 2024 may increase or decrease their donations on a yearly basis.
 - b. Any members who use SLB days after June 2024 may not reduce their donation without withdrawing from the SLB.
5. Members wishing to terminate membership (resign from the SLB) must do so by certified mail. Letters must be sent to the BTF Office in care of the SLB. Termination (resignation) will

SICK LEAVE BANK GUIDELINES

OFFICIAL - Effective June 26, 2024

become effective at the end of the school year in which the request is made. (Effective October 1, 2011, membership was terminated for every teacher who did not donate at least the minimum 2 days required for membership.)

- a. Should a teacher re-enroll in the SLB after termination (resignation), their date of re-enrollment will be the start of their continuous membership, and any previously used SLB days will be counted towards their lifetime usage.
- b. Upon re-enrollment, the member will not be able to utilize the SLB for 12 months from the date of re-enrollment, except in the case where the person was a member for at least 15 years and never used the SLB, that member shall be eligible to use the SLB 30 calendar days after re-enrollment.
- c. **A member who withdraws membership after having utilized the SLB is ineligible to re-join.**

6. Days donated to the SLB are non-refundable.

7. Before a member can use the SLB, that member must exhaust all available sick leave days (excluding personal days) and any paid Board extensions. Teachers are eligible for paid Board of Education extensions after the completion of ten (10) years of service. (See BTF Contract.)

8. The SLB may be used only by the individual contributor for personal illness. The Bank may not be used for disabilities of other members of the contributor's family. The SLB may not be used by members to remain away from their position and assist a family member who is ill.

9. Benefits granted will not have to be repaid unless the days are fraudulently obtained. (See Guideline #18.)

10. Maximum benefits for each personal illness are subject to the number of days contributed and years of continuous SLB membership as follows:

The Maximum allotment of days (if medically necessary) for each personal illness is:

- **40 SLB days if the member donates 2-days per year ***
- **60 SLB days if the member donates 3-days per year ***
- **80 SLB days if the member donates 4-days per year ***

*** NOTE: Members who have maintained at least ten consecutive years of SLB membership shall be eligible for 10 additional SLB days.**

MAXIMUM LIFETIME BENEFIT

For the first three years of membership, the Maximum Lifetime Benefit will be 30 times the number of days being donated by the member. Thereafter, the Maximum Lifetime Benefit is equal to 12 times the number of days contributed over the 5 years prior to a claim being filed.

The Maximum Lifetime Benefit can be increased or decreased based on changes in the number of days donated by the member.

SICK LEAVE BANK GUIDELINES

OFFICIAL - Effective June 26, 2024

Lifetime Maximum Examples: **Example (a)**

Member donated 2, 3, 4, 4, 4 = 17
Lifetime Maximum = 204 days

Example (b)

Member donated 4, 4, 4, 4, 4 = 20
Lifetime Maximum = 240 days

Example (c)

Member continually donates 3 days - Lifetime Maximum is as follows:

1st three years = 90 lifetime max days

4th year = 144 lifetime max days

5th year and beyond = 180 lifetime max days

If the prognosis is **terminal**, a member may be eligible for up to **80** additional days (“life threatening days”) beyond the Lifetime Maximum (See “Extended Benefits”).

11. Members of the SLB may request benefits by completing an Application for Benefits. This application, Physician’s Statement form, medical record release form, and SLB Guidelines will be mailed to the member by the SBF Office. No action will be taken until all forms are completed and received by the SLB Trustees. If the Trustees determine that a delay in the receipt of said physician’s statement was beyond the member’s control, benefits may be awarded.

12. USAGE ELIGIBILITY

- a. SLB Benefits will be granted only once per twelve (12) month period (with the exception of psychiatric conditions), providing the member returns to work for a period of twelve (12) calendar months. In computation of the twelve-month period, summer months are counted.
- b. In cases involving psychiatric conditions, the SLB will consider member requests separated by 36 months from their last SLB usage date.
- c. In cases involving psychiatric conditions, such as anxiety, postpartum depression or depression, the member must have a physician’s statement submitted from a licensed psychologist or psychiatrist only. SLB will not honor Physician’s Statements that are completed by people who do not satisfy that criteria (such as, but not limited to Psychiatric Nurse Practitioner, Licensed Social Worker, Family Licensed Nurse Practitioner, Life Coach, or Family Counselor). **(NOTE: A licensed psychologist or licensed psychiatrist may co-sign to verify the diagnosis of a member of their practice.)**
- d. A member using the SLB may attempt a return to work twice during the usage period. Each trial period may last up to 15 consecutive school days. If the member is unable to perform the normal duties of their position during or at the end of the trial period(s), the member shall be eligible for the remainder of benefits to which they are entitled.
- e. Your file closes out on the date you complete your Sick Leave Bank use. If you are unable to return to work (due to the illness for which you were out) and you have SLB

SICK LEAVE BANK GUIDELINES

OFFICIAL - Effective June 26, 2024

days remaining for that illness, you must notify the SLB in writing within 30 days and submit a new SLB Physician's Statement form within that same 30-day window. **After 30 days, your file will be permanently closed.**

13. A member of the SLB may, upon receipt of a physician's written statement, use benefits on an intermittent basis if such medical treatment requires it. Examples of such treatment could be, but are not limited to, chemotherapy and radiation therapy. **Intermittent use of the SLB must be expressly pre-approved by the SLB Trustees.**
14. The SLB Trustees may, in their sole discretion, require a member requesting and/or receiving benefits to submit to an examination by a doctor of the SLB's choice, at the expense of the Buffalo Teachers Federation.
15. A majority vote of the SLB Trustees is necessary to approve an application for benefits.
16. All benefits will be pro-rated for part-time teachers.
17. After an applicant has been granted sick leave days from the SLB, the member shall be required to submit updated SLB Physician's Statement forms every eight weeks (8) weeks or more frequently, if requested, to remain eligible for SLB benefits. A doctor's note or prescription is not acceptable. Official SLB Physician's Statement forms must be completed by the physician (an MD., DO., or OBGYN) and submitted directly to the SLB Trustees by US Mail, email, or fax. SLB will not honor Physician's Statements that are completed by a non-physician (such as, but not limited to Chiropractor, Physician Assistant, Licensed Nurse Practitioner, midwife, doula, or Licensed Social Worker). Granting of days may be suspended until said forms are received. If the Physician's Statement is sent by email or fax, the original SLB Physician's Statement form must also be returned to the SLB.
18. Should it be determined that a member is drawing SLB days fraudulently, that member shall be required to re-pay all fraudulently-obtained funds, shall be prohibited from receiving any future benefits from the SLB, and shall be immediately terminated from membership in the SLB.
19. Teachers applying for SLB benefits due to a work-related injury must complete a Workers' Compensation application and must provide a copy for the SLB. Any days awarded to the member by Workers' Compensation **must** be returned to the SLB.
20. Teachers receiving benefits must be under the continual care (seen monthly or more frequently) of a physician and/or psychiatrist or psychologist to maintain benefit eligibility.
21. Every effort will be made to notify teachers receiving SLB benefits ten (10) days prior to the exhaustion of their SLB days or their final day of coverage.

SICK LEAVE BANK GUIDELINES

OFFICIAL - Effective June 26, 2024

EXTENDED BENEFITS

The SLB Guidelines provide for an additional eighty (80) days of SLB benefits for persons suffering from a *terminal illness (life threatening)*.

Terminal illness is defined as an advanced stage of a disease with an unfavorable, rapidly progressing, and incurable prognosis.

EXTENDED BENEFIT GUIDELINES FOR LIFE THREATENING ILLNESSES

- 1. The request for extended benefits (life threatening SLB days) must be made in writing by the teacher or the teacher's surrogate.**
- 2. The teacher must be a member of the SLB and have exhausted all available sick days, Board extensions, and SLB days.**
- 3. The member must be afflicted with a terminal illness as defined above and attested to by at least one physician. The physician's statement must explain in detail the nature of the terminal illness.**
- 4. Extended benefits may be used only once in a lifetime but may be used intermittently (with SLB Trustee committee approval), as in the case of chemotherapy, until all 80 days are exhausted.**
- 5. The SLB Trustees reserve the right to request additional information concerning the nature of the terminal illness and/or request the member to visit a physician of the SLB Trustees' choice, at the expense of the Buffalo Teachers Federation.**

OFFICIAL SLB GUIDELINES

APPROVED BY TRUSTEES

Effective 6/26/2024