

GUIDELINES FOR SICK LEAVE BANK

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 has 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) teachers appointed by the President of the Buffalo Teachers Federation. Guidelines are subject to revision by a unanimous vote of the aforementioned committee.

- A prolonged illness is defined as an absence of more than five (5) consecutive teaching days.
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, a teacher must donate a minimum of **two** days per school year of his/her accumulated sick leave. A maximum of **four** days per school year may be donated. Membership in the SLB is continuous and does not require enrolling 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.
 - b. All other teachers may join between June 1st and June 20th.
 - c. The appropriate membership forms must be completed in both the aforementioned situations. Membership is effective when the enrollment and authorization cards are stamped "Received" at the BTF Office.
 - d. Confirmation of your membership as well as any changes in your contribution will be sent to you within 30 days of receipt.
 - e. Except for newly hired teachers (see 2a); 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. A teacher who is presently enrolled in the SLB and wishes to change his/her contribution may do so by filing new enrollment and authorization forms between June 1st and June 20th of the given year.
 5. Members wishing to terminate membership must do so by certified mail. Letters must be sent to the BTF Office in care of the SLB. Termination will 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.) Should a teacher enroll in the SLB after termination, he or she will be a new member. He or she will not be able to utilize the SLB for 12 months from the date of re-enrollment.

A member who withdraws membership after having utilized the SLB is ineligible to re-join.

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

If the prognosis is **terminal**, a member may be eligible for up to sixty (60) additional days beyond the maximum lifetime benefit. (See "EXTENDED BENEFITS" on page 4.)

11. Members of the SLB may request benefits by completing an Application for Benefits. This application, physician's statement, 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 requests separated by 36 months from their last SLB usage date.
 - c. In cases involving psychiatric conditions, such as anxiety, stress or depression, the member must have a physician's statement submitted from a licensed psychologist or psychiatrist **only**.
 - 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 his/her position during or at the end of the trial period(s), the member shall be eligible for the remainder of benefits to which he/she is entitled.
 - e. Your file closes out on the date you complete your Sick Leave Bank use. If you are unable to return (due to the illness for which you were out) and you have SLB days remaining, you must notify the SLB in writing within 30 days and submit a new medical 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 specifically pre-approved by the 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.
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, he/she shall be required to submit updated physician statements on the SLB form EVERY EIGHT (8) WEEKS or more frequently if necessary DURING RECEIPT OF BENEFITS. A doctor's note or script is NOT ACCEPTABLE. Said forms must be completed by the physician and submitted directly to the SLB Trustees by US Mail or fax. Granting of days may be suspended until said forms are received.

If the updated medical was sent by fax, the original form must also be returned to the SLB.

18. Should it be determined that a member is drawing SLB days fraudulently, he/she shall be required to re-pay all fraudulently obtained funds, shall be prohibited from receiving any future benefits from the SLB and the teacher's membership shall be terminated.
19. Teachers applying for SLB benefits due to a work related injury must complete a Worker's Compensation application and must provide a copy for the SLB.
20. Teachers receiving benefits must be under the continual care of a physician and/or psychiatrist or psychologist.
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.

EXTENDED BENEFITS

The SLB Guidelines provide for an additional sixty (60) days of SLB benefits for persons suffering from a ***terminal illness***.

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

EXTENDED BENEFIT GUIDELINES

- a. **The request for extended benefits must be made in writing by the teacher or the teacher's surrogate.**
- b. **The teacher must be a member of the SLB and have exhausted all possible sick days, Board extensions and SLB days.**
- c. **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.**
- d. **Extended benefits may be used only once in a lifetime but may be used intermittently, as in the case of chemotherapy, until all 60 days are exhausted.**
- e. **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 Trustees' choice.**