

Williamsville Teachers' Association Sick Bank (WTASB) Committee

Rules and Guidelines for Operation

Membership

1. Membership in the WTASB is mandatory for all unit members with the exception of regular substitutes.
2. Regular substitutes are not eligible to participate in the WTASB.

Administration of the Williamsville Teachers' Association Sick Bank

1. The WTASB will be run exclusively by the Williamsville Teachers' Association and administered by the WTASB Committee.
2. The WTASB Committee shall consist of five members appointed by the WTA President and subject to the approval of the COD.
3. All decisions of the WTASB Committee will be by majority vote.
4. A member may appeal a decision of the WTASB Committee to the WTA Executive Committee and be decided by majority vote of that body.
5. All member applications submitted to the WTASB Committee will be kept confidential and will be restricted to members of the committee or the Executive Committee in the event of appeal to that body.

Maintenance of the Williamsville Teachers' Association Sick Bank

1. All eligible members shall contribute two (2) sick days from their accumulated leave to begin the WTASB.
2. New members will be required to contribute two (2) sick days upon appointment.
3. There is no maximum number of Sick Bank days that may be accumulated by the WTASB.
4. Additional days will be assessed by the WTASB Committee as needed to maintain the WTASB.
5. If an eligible member does not have the days available at the time of reassessment, they will be assessed the appropriate number of days when they are earned and become available.

Application for Use of Sick Bank Days by Unit Members

1. Members may apply as circumstances dictate. In cases where the member is unable to submit an application, a family member or designee may do so on the member's behalf.
2. Members must exhaust all accumulated sick and personal time before receiving days from the WTASB.
3. Members who have requested and been approved for an unpaid leave are not eligible to apply to the WTASB Committee and may not receive days from the WTASB during the leave period. However, members may apply as needed if a qualifying condition prevents return to work at the end of the unpaid period and the member otherwise intended to return to work, but was unable to do so.

4. Members on maternity leave are eligible to receive days from the WTASB. Six calendar weeks are automatically awarded for normal delivery or eight calendar weeks for cesarean delivery from the date of delivery, without the requirement that the member intends to return to work. However, if additional days are requested beyond the typical maternity period, the member must intend to return to work as soon as she is medically able. Approval for an unpaid Child Care Leave would preclude additional days since the member has already indicated she is not willing to return to work as soon as she is medically able during the leave period.
5. All completed applications to the WTASB Committee must be submitted to the WTASB Committee in a timely manner. Except in the case of an emergency, applications must be submitted at least one week prior to the exhaustion of all accumulated personal leave (sick days) or one week prior to the expiration of a leave approved by the WTASB Committee. Failure to submit an application on time may jeopardize a member's pay status and/or benefits. An applicant's attendance history will be reviewed as part of the application process.
6. Initial use of the Sick Bank must be for personal illness or injury only; such illness or injury must be at least 15 days in duration in order to utilize the WTASB.
7. Family illness cannot be compensated by Sick Bank days.
8. A unit member requesting use of the WTASB must submit a completed application, signed by his/her physician attesting to the applicant's incapacity. The application must include a detailed statement of the nature of the illness or injury, the projected duration of the incapacity, and an assertion that the condition will prevent the applicant from working. In addition, while on approved sick leave, the member must be under appropriate treatment that reflects intent to improve and return to work.
9. As a condition for the use of the WTASB, the WTASB Committee reserves the right to request a physical examination of the applicant and/or statement from a physician determined by the WTASB Committee attesting to the applicant's incapacity. The cost of the medical examination, records, etc. related to such a statement shall be borne by the requesting member.
10. The applicant must authorize their personal physician and/or any physician appointed by the WTASB Committee to have access to any records or reports relevant to the member's case, and also to authorize such physician to release said information to the WTASB Committee and/or the District physician.

Allocation of Days

1. Member must have a documented pregnancy, illness, or injury that results in a disability of at least 15 days in duration and results in incapacity to work, except in cases of reoccurrence of a disability which was previously approved for leave. In the case of a reoccurrence, the incapacity to work for more than five days will constitute sufficient basis to apply for resumption of sick leave.
2. Member must have an attendance history that demonstrates responsible use of accumulated sick days. Any applicant whose attendance history falls below our established threshold of 60% of sick days remaining will be asked to submit an "Attendance History Clarification Form" to the WTASB Committee. Applicants will be notified and provided with a form if necessary. The

WTASB Committee will review this form in addition to the original application to determine eligibility.

3. Each member will be allowed a maximum of 165 Sick Bank days for each disability, except in the event of multiple disabilities, when a maximum withdrawal of 250 Sick Bank days within a five-year period will be imposed.
4. Except for the per disability and five-year limits imposed above, there is no career limit to the number of days a member can receive from the WTASB.
5. Upon approval by the WTASB Committee of a valid application, except as noted here, a member must go five (5) working days without pay before receiving days from the WTASB. However, no additional waiting period will be imposed for recurrence of the same disability. The five (5) unpaid day period will be waived if a member signs an irrevocable agreement to resign for the purpose of retirement into the NYS Teachers' Retirement System at the end of the current school year. If elected by the member, the agreement to resign must be executed and delivered to the Assistant Superintendent for Human Resources prior to the start of the approved leave. This exception shall be provided for any member on or after September 1, 2011. No other exception to the five-day unpaid period is allowed.
6. Sick Bank days granted by the WTASB Committee will be allocated in blocks of up to 30 working days, except in cases of maternity which automatically allow for authorization of six weeks of leave for normal delivery and eight weeks of leave for cesarean delivery in which case sufficient days may be granted to cover the authorized time period.
7. Sick Bank days are granted only by the WTASB Committee or the WTA Executive Committee in the case of successful appeal.
8. Additional Sick Bank days for continuation of the same disability will require another completed application to be submitted to the WTASB Committee. Additional Sick Bank days will not be granted following childbirth in the case when a member has previously applied for and been granted an unpaid leave. Additional Sick Bank days may not be granted during an unpaid leave requested by the member and approved by the district.
9. When necessary for continued medical treatment of the same disability, allocated days may be awarded and used by the member to continue treatments after returning to work. The intent of this rule is to allow a member the opportunity to return to work as soon as medically able, while continuing to take days required for approved medical treatment related to the same disability. This benefit is also extended to any member with a disability which would have been covered by the WTASB, but did not apply because the member had sufficient accumulated leave to cover the original disability but now needs days for continued treatment related to the original disability.
10. In extenuating circumstances, members with a chronic illness may be allowed to use intermittent leave, up to 10 days. After the ten days the member may reapply. This leave must be authorized by both the Sick Bank Committee and the WTA Executive Board and will require additional medical documentation.