

State Vocational Federation of Teachers
Emergency Sick Leave Bank Guidelines
November 2014

SVFT 9/1/2011-8/31/2016 Contract Language

(Verbatim Contract Language Italicized, Clarifications in Regular Font)

(ARTICLE 4 FRINGE BENEFITS, Section Four. (i) Sick Leave Bank.) *The Emergency Sick Leave Bank is to be used by bargaining unit employees who have completed the three (3) years of full-time service in the Connecticut Technical High School System. The enrollment period will be from September 1 to November 1 of each contract year. Employees wishing to enroll will notify the SVFT during this time period. The SVFT will forward to Education Personnel a list of eligible employees on or before November 15. No new enrollees will be accepted after that date. An eligible employee requesting use of emergency sick leave may make application on the prescribed form, which can be downloaded from the SVFT website (svft.ct.aft.org). Completed forms are reviewed by a Labor Management subcommittee established to administer the program. Said committee shall be comprised of (3) designees, one (1) from the Employer and two (2) from the Union, and shall have full authority to grant benefits and administer the program in accordance with the guidelines below or as mutually agreed to.*

The subcommittee shall determine eligibility for benefits in accordance with the following:

- (1) Each eligible employee who elects to participate shall contribute one (1) day from accrued sick leave to the sick bank. Days contributed shall not revert to employees if not used.*
 - a. To be eligible, employees must complete the equivalent of (3) years of full-time service or (3) years and (66) days of part-time service.
 - b. To become a member of the Sick Bank, eligible members must complete the Sick Bank Enrollment Form, which can be downloaded from the SVFT website (svft.ct.aft.org).
- (2) Days contributed to the bank shall thereafter be allocated to bargaining unit employees with **catastrophic or extended long-term illness**. Catastrophic personal illness or injury is defined to be an illness or injury which meets all of the following conditions:*
 - a. The condition is sudden, unexpected and of such severity, as certified by the employee's physician that the employee is under an active treatment plan and unable to perform essential job functions.
 - b. Treatment for a catastrophic condition cannot be postponed without substantial risk of harm to the employee. Treatment which does not require immediate attention should be obtained during the employee's normal non-working period (i.e., winter break, spring break, summer break, etc.). Treatment for a condition which does not require immediate attention but is scheduled for the convenience shall not be eligible for benefits from the Sick Bank.

Circumstances **NOT** covered by the Sick Bank include, but are not limited to:

- a. Maternity leave
- b. Illness related to stress
- c. Leave needed as a caregiver for a family member
- d. Leave of absence due to pain medication
- e. Illnesses that require intermittent absences
- f. Leave of absence due to a leave for elective surgery that could be performed during the summer

(3) *To be eligible for allocations of the sick days from the bank, an employee must meet the following conditions:*

- 1. Exhaustion of all sick leave and personal leave.*
- 2. The illness or injury is not covered by Worker's Compensation and/or such benefits have been exhausted.*
- 3. An acceptable medical certificate supporting the absence is on file.*
- 4. Completion of the service requirement.*
- 5. The bank is not depleted.*

(4) *Benefits under this Article shall accrue at the rate of one (1) day for each day of illness or injury provided that the employee has been disabled for a minimum of ten consecutive(10) working days. No employee shall be eligible to draw from the bank if the fund is depleted. Employees receiving benefits under this Article shall not accrue sick leave during the period of eligibility or be eligible for holidays or other paid leave benefits. The subcommittee shall consider as a factor the extent and circumstances of the applicant's usage of sick leave prior to the illness in question.*

(5) *Unused days in the sick leave bank shall be carried over from year to year and shall not lapse.*

(6) *If at any time the balance in the bank should drop to ten (10) days, each eligible employee shall be assessed one (1) additional day from his/her accrued sick leave.*

(7) *An employee who has been granted some portion of the sick leave bank, and who returns to work, shall **repay the bank** at the rate of twenty-five percent (25%) of his/her unused accrued sick leave each December 31 and June 30 thereafter. In the event that the employee leaves employment, any unused accrued sick leave shall be used to repay the balance owed to the sick leave bank.*

(8) *The actions or non-actions of this subcommittee **shall in no way be subject to collateral attack or the grievance/arbitration machinery.** The subcommittee shall not be considered a State agency, board or any other subdivision of the Employer. No requests shall be conducted as contested cases or otherwise be subject to the Administrative Procedure Act.*

(9) *An employee who has chosen to participate in the Sick Leave bank may decline to continue to participate by withdrawing from same, by notice filed upon the form developed by the parties. Removal from participation shall be declared not later than the last student contact day of the school year, and shall be deemed effective at midnight on June 30th of that year. There shall be no refund of contributions, and said election, once made, shall be considered irrevocable during that school year. The withdrawing employee will be responsible for all contributions authorized through June 30th of that year.*

Cutoff of Claims: An employee who has submitted the appropriate form to withdraw may not make any claim for benefits that either begin after or continue past the June 30th cutoff.

Return to Bank Status: An employee who seeks to return to Sick Leave Bank status shall be treated like a new employee, except that the three-year waiting period shall be waived.

Return with Infirmary: An employee who has withdrawn may return to the Sick Leave Bank during the designated enrollment period, but in the case in which the employee is already acknowledged to be incapacitated, there shall be a waiting period of not fewer than fifteen (15) nor more than sixty (60) working days. Said deductible shall be determined by the subcommittee, based upon years of participation and duration of separation from the Bank.

Sick Bank Form Submission

Submit forms to: Nicole Conti, Office Manager
State Vocational Federation of Teachers
439 Main Street, Wallingford CT 06492
Phone: 203-793-7996
Fax: 203-793-7943

Committee Members: SVFT – Mike Lorusso and Kathy McGirr
SDE Human Resources – Damaris Hernandez,

Sick Bank Coordinator: Damaris Hernandez
165 Capitol Ave, Room G16
Hartford, CT 06106
Phone: 860-713-6698
Fax: 860-713-7011

*** Recertification of medical information is required every 60 days