

Section 1- Intent of Bank.

- 1.1 Participation in the catastrophic leave bank is limited to unit members, administrators, and other certificated staff. The intent of this bank is to provide limited additional financial protection because a unit member has run out of sick days either for their own use or taking care of family members (as approved by the Catastrophic Leave Committee). The unit member has to take time off from work for an extended period of time, and taking an extended period of time off work creates a financial hardship for the unit member because he or she has or will have exhausted all of his or her sick leave.
- 1.2 The Catastrophic Leave Committee (CLC or Committee) shall administer the Catastrophic Leave Bank. The Committee shall be responsible for receiving leave requests, verifying the validity of requests, approving or denying requests, communicating its decision to affected unit member, determining when new catastrophic leave assessments of bank members will be made, and soliciting donations of catastrophic leave from unit members.

Section 2- Donation of Days

- 2.1 The Bank shall be funded in accordance with the terms below.
- 2.2 The open enrollment period shall be July 1 through September 30.
- 2.3 Days in the Bank shall accumulate from year to year.
- 2.4 Days shall be donated to the Bank and withdrawn from the Bank without regard to the daily rate of pay of the Bank participant.
- 2.5 All unit members are eligible to donate to the Bank. Participation in the catastrophic bank is voluntary. Only contributors will be permitted to withdraw from the Bank.
- 2.6 Participants will need to make a donation to remain in the Catastrophic Bank. Annual rate of donation by each participating unit member for each school year shall be a minimum of one full school day and a maximum of five full school days. (EC 44043.5).

The Catastrophic Bank Committee will determine in May, for the following school year, if there will be a need for an annual donation by all catastrophic bank participants.
- 2.7 Each year, those unit members joining the Bank for the first time: new hires, members that have not previously participated, or returning from leave, shall have the opportunity to donate at least one day to the Bank by September 30 and complete Catastrophic Leave Bank Donation Form. The District shall supply enrollment forms for the Bank to all unit members.
- 2.8 If the number of days in the Bank at the beginning of a school year exceeds 45 days, no contribution shall be required by returning catastrophic bank participants.
- 2.9 Unit members who are retiring or leaving the employment of the District may donate up full days of their unused sick leave to the Bank.
- 2.10 Donations shall not be designated to a specific unit member for his/her exclusive use.
- 3.0 The Bank shall be administered by a Committee consisting of two Association members appointed by PEEA and one District confidential designee.

Section 3- Additional Donation

- 3.1 Additional donations will be assessed of each Catastrophic bank participant if the number of days in the bank falls below 30 days. Such assessments shall be made in writing and approved by each unit member to continue current participation in the bank by using the Catastrophic Leave Bank Donation Form. Unit members who are drawing from the bank at the time of the assessment will not be required to donate in order to remain eligible to receive benefits from the bank.

Section 4- Participation

- 4.1 Participants must use all sick leave (as defined in Article 13) available to them before being eligible for a withdrawal from the Bank. Bank participants, whose sick leave is exhausted, may withdraw from the Bank.
- 4.2 Any unit member who is being covered by Worker's Compensation is excluded.
- 4.3 Cancellation of the unit member's membership in the Catastrophic Leave Bank occurs automatically whenever he/she fails to make an assessed contribution. The unit member shall not be eligible to draw from the bank as of the effective date of cancellation. Sick leave previously authorized for contribution to the Catastrophic Leave Bank shall not be returned to the unit member's account of accumulated sick leave.

Section 5- Withdrawals

- 5.1 Withdrawals from the Bank shall be granted in units of no more than 15 duty days per occurrence. Any unused portion shall be returned to the bank.
- 5.2 If a withdrawal for an illness exceeds the 15 duty day maximum, additional catastrophic bank days may be granted by the Committee. A new application needs to be made by the member.
- 5.3 Participants applying to withdraw from the Bank will be required to submit a doctor's statement indicating the nature of the illness or injury and the probable length of absence from work. Members of the Committee shall keep information regarding the nature of the illness confidential. The unit member should be prepared to provide additional documentation on the nature and severity of the illness or injury if requested by the Committee, and decisions of that Committee shall be final.
- 5.4 In the event that the unit member is personally unable to apply for catastrophic bank leave, an immediate family member or unit member's agent may make the request for the applicant.
- 5.5 If the Bank does not have sufficient days to fund a withdrawal request, the Committee is under no obligation to provide days and the District is under no obligation to pay the participant any funds whatsoever. If the Committee denies a request for withdrawal because of insufficient days to fund the request, they shall notify the participant in writing of the reason for the denial.
- 5.6 The maximum number of duty days allowed to be utilized by one unit member for a single injury/illness or disability shall not normally exceed fifteen (15) duty days. The number of catastrophic bank days needed by the unit member shall be specified in the request. The unit member may request up to fifteen (15) additional days by filing an additional request for consideration by the Committee. Any days approved by the Committee but unused by the unit member shall be returned to the Catastrophic Leave Bank.

- 5.7 No unit member shall receive more than thirty (30) days for a single injury/illness from the Catastrophic Bank in a school year.

Section 6- Accounting

- 6.1 The District shall have the responsibility of maintaining the records of the Bank.
- 6.2 The Committee's authority shall be limited to administration of the Bank. The Committee shall approve all requests complying with the terms of this Article. Withdrawals may not be denied on the basis of the type of illness or disability.
- 6.3 The Committee shall keep all records confidential and shall not disclose the nature of the illness except as is necessary to process the request for withdrawal.
- 6.4 By October 31, of each school year, the District shall notify the Committee of the following:
- Total number of accumulated days in the Bank as of June 30th of the previous school year.
 - The number of days donated by Unit members for the current year.
 - The names of participating unit members.
 - The total number of days available to the Bank.

Section 7- Termination or Suspension

- 7.1 If the Catastrophic Leave Bank is terminated for any reason, the days remaining in the Bank shall be returned to the then current unit members of the Bank proportionately.

Section 8- Hold Harmless

- 8.1 The Association agrees that it will not file, on its own behalf or on behalf of any unit member, any grievance, claim or lawsuit of any kind related to any attempt by a unit member to retrieve donated sick leave used by another unit member pursuant to this provision.
- 8.2 The Association also agrees that it will not file, on its own behalf or on behalf of any unit members, any grievance, claim or lawsuit of any kind which attempts to challenge in any way the legality of enforcement of this provision.
- 8.3 The Association agrees to defend, indemnify, and hold harmless the District from any loss or damages arising from the implementation of this provision.