

# *Eastpointe Federation of Educators*

## SICK BANK

December 15, 2020

This document is an explanation of the *Eastpointe Federation of Educators* (EFE) *Sick Bank*. It contains the Sick Bank Policy, contract language, explanation of the language, and several examples. We hope it explains this important benefit for EFE members in good standing. If you have questions, please reach out to a building representative or officer.

### **EASTPOINTE FEDERATION OF EDUCATORS SICK BANK POLICY**

1. The Sick Bank is intended to provide the membership with protection during extended periods of **the member's own illness/injury or intermittent absences due to on-going treatment/therapy.**
2. Membership in the Sick Bank is automatic for those eligible. Anyone not wishing to be a member must notify either the Committee or the Federation President in writing by November 1<sup>st</sup> of the current school year.
3. The Sick Bank Committee shall consist of **two** members. **The EFE President may be consulted during the application process.**
4. Committee members may access two union business days per member per year.
5. Application for withdrawal of days and physicians:
  - a. Forms will be available from the **Administrative Services Office.**
  - b. Completed forms are to be returned to the **Administrative Services Office.**
  - c. Forms will be forwarded to the Sick Bank Committee.
6. Completed applications must be returned to **Administrative Services Office** as soon as possible.
7. Each applicant must:
  - a. complete an *Application of Withdrawal* form;
  - b. submit a physician's statement form or a personal written statement from the physician;
  - c. be responsible for submitting the required forms to the **Administrative Services Office;**
  - d. and *notify the Committee upon return to work.*

Applicants using the sick bank days for an emotional related illness are required to reapply after twenty (20) working days. The second application for sick bank days must be at the request of a psychiatrist with appropriate written documentation using the DSM IV diagnosis. Emotional related illness will be re-evaluated every twenty (20) working days with continuing documentation from the attending physician as to why the employee cannot perform their job.

8. **Every effort should be made to have elective surgery performed during vacation time. The committee retains the right to deny a member's application for withdrawal of sick bank days for elective surgery.**
9. One dissenting vote on an application for withdrawal of days will be sufficient to require the applicant to either supply additional information or appear before the Executive Council to appeal the decision.
10. If the applicant chooses to appeal, action will be taken at an Executive Council meeting scheduled after receipt of the additional information. Following reconsideration, a simple majority vote of the body will decide the appeal.
11. Applicants are not guaranteed their regular salary during the application process.
12. **Applicants will receive either a request for additional information or written approval of their Sick Bank leave. The process may take up to two weeks to complete.**
13. When teachers are out on sick leave using **Worker's Compensation time**, 1/3 day for each day the employee is out will be automatically deducted from the Sick Bank by the Payroll office.

## **EFE COLLECTIVE BARGAINING AGREEMENT**

### **7.11 SICK BANK**

**¶4. "An employee will not be eligible for withdrawal of days from the sick bank until they have been ill at least ten (10) continuous days and have depleted their sick leave to five days or less."**

The purpose of this language is two-fold. First, should a prolonged illness exhaust an employee's total accumulated sick days, the employee can be comforted knowing that they have up to an additional **180** days available in the sick bank and can be "docked" no more than **10** days for this benefit.

**NOTE: MOU in effect for the 2020-21 contract year requires members to have at least 30 accrued days to maintain 100% salary benefit when accessing the sick bank. Any member having less than 30 accrued days will draw 90% of their salary. All of the other requirements with regard to entering the sick bank and “dock days” (as explained below) remain the same.**

Second, although these additional days are available to any **EFE member in good standing** who has completed one full year of employment, it remains advantageous for the employee to accumulate their own “bank” of at least **30** days to assure that they receive 100% of their salary and are not “docked” days. Employees who are “docked” any days always return with zero days accumulated! Basically, there are two cases to examine:

**CASE I: Employees who have 15 or more days accumulated.**

These employees will *always* return to work from a prolonged illness with **5** days of accumulated leave remaining and **no** days docked. This is why it is so important to make every effort to accumulate days in your personal “bank.”

**CASE II: Employees who have less than 10 days accumulated.**

These employees will return to work from a prolonged illness with **4** days or less (possibly **zero**) of accumulated leave remaining. If their accumulated days *prior* to the prolonged illness were **10 or less**, then these employees may be docked from **1 to 10** days.

Before examining some examples of this policy, let us see why employees are often told, **“You need 15 to get 5.”** All of the following summaries demonstrate why employees should try their best to accumulate *at least fifteen (15)* sick days in their personal bank in an effort to avoid becoming a **CASE II** example!

- If you have **14** accumulated days, you’ll return with **4**, or
- If you have **13** accumulated days, you’ll return with **3**, or
- If you have **12** accumulated days, you’ll return with **2**, or
- If you have **11** accumulated days, you’ll return with **1**, or
- If you have **10** accumulated days, you’ll return with **0**, or
- If you have **9** accumulated days, you’ll return with **0**, and be docked **1**, or
- If you have **8** accumulated days, you’ll return with **0**, and be docked **2**, or
- If you have **7** accumulated days, you’ll return with **0**, and be docked **3**, or
- If you have **6** accumulated days, you’ll return with **0**, and be docked **4**, or
- If you have **5** accumulated days, you’ll return with **0**, and be docked **5**.
- If you have **4** accumulated days, you’ll return with **0**, and be docked **6**.
- If you have **3** accumulated days, you’ll return with **0**, and be docked **7**.
- If you have **2** accumulated days, you’ll return with **0**, and be docked **8**.
- If you have **1** accumulated day, you’ll return with **0**, and be docked **9**.
- If you have **0** accumulated days, you’ll return with **0**, and be docked **10**.

In all of the above, the phrase “**and be docked**” means that an employee will have the equivalent of one or more days deducted at the member’s contracted daily rate.

Now, a few actual examples might better demonstrate both the advantage of being a **CASE I** employee and the disadvantage of the **CASE II** employee.

**CASE I EXAMPLES:**

1. Pete has **17** accumulated days. He has a prolonged absence of **15** days. He has been absent at least **ten** continuous days and, therefore, meets the first requirement. On his **12<sup>th</sup>** day of continuous absence, he will have depleted all but his last **5** days. At this point, Pete will enter the sick bank. The sick bank will grant him the remaining **5** days of his extended absence. Phil will therefore return with **5** days—an example of “**You need 15 to get 5.**” Had Pete instead been absent **33** days, not much would change. He would use his own **12** days from his **17** accumulated days and then would enter the sick bank when he’s down to his last **5**. The bank would grant him the necessary **21** days, permitting him to return with **5** days.
2. Beth had elective surgery performed during summer vacation. Although her surgery and recovery time total **48** days, only **21** of these occur during re-entry in the Fall. Fortunately, Beth has **15** accumulated days. The sick bank will grant her **11** days, permitting her to return with **5** days.
3. A serious illness forces Rita to miss **108** days of work. These missed days begin in the Spring and continue into the Fall. Rita *does not return for just a day or two* either in June or August to help prepare her room for closing or opening. She knows that her absence must be “*uninterrupted*” to qualify for the sick bank. She has **63** accumulated days. The sick bank will grant Rita **50** days and she will return with **5** days.
4. Finally, George has managed to accumulate only **15** days and is absent a total of **73** days. Thanks to the sick bank, George will still return with **5** days after the sick bank has granted him the necessary **68** days to recover.

Note that all of these **CASE I** examples demonstrate employees returning with **5** days leave and **no loss of pay!**

For the mathematicians out there:

If we let     **A = Accumulated Days**

**D = Days Absent**

**G = Days Granted by Sick Bank**

then            **G = (D + 5) – A as long as A ≥ 15**

## CASE II EXAMPLES

1. Roger has only **7** days of accumulated leave. He is absent **13** days. As with the earlier examples, Roger cannot apply to the sick bank until he has been absent **10** consecutive days. Unfortunately, he will be docked 3 days and return with 0 days leave.
2. Jane has **3.5** days of accumulated leave. She is ill for **7** days. Not only will Jane return with **0** days, she will be **docked 3.5** days' pay. Jane could not enter the sick bank because she was not absent **10** consecutive school days.
3. Carol has **12** accumulated days of leave and is absent **11**. Carol will return with **2** days. The sick bank will give her the one day over the required 10 consecutive school days she was absent. This is the "good news" of having more than **10** days accumulated. However, there is some "bad news"—any additional extended illness over 2 days will result in a return with **zero** days and some **loss of pay!**

All of the above clearly demonstrate the benefits of employees "banking" their own accumulated sick days.

Reminder: Sick Bank Withdrawal Applications are acquired from, and returned to, Administrative Services.