

## Sick Leave Pool Expansion As Counter Proposal To Short Term Disability

- NOTE**
- **Bold and underline** – added language pertinent to expansion of sick leave pool
  - ~~Strike out~~ – language eliminated pertinent to expansion of sick leave pool and opt out rather than opt in
  - ***italics*** - language pertinent to Family Leave expansion

### EXPANSION CHANGES

- Opt In rather than opt out
- Increase minimum from 1000 to 3000 hours
- Eliminate reimbursement requirement
- Opt out is for period between October 1 and November 1
- Eliminate one time use of sick leave pool over career
- Add may use sick leave over summer if worked previous summer

### NOT CHANGED:

- 4 hours to join remains
- only covers 4 hours per day

### SICK LEAVE POOL – Contract §10.6 / Pages 26- 28

#### 10.5 Sick Leave Pool:

10. 5.1 **Purpose.** The purposes of the Sick Leave Pool is to: **(1)** provide additional sick leave days to those employees suffering from a catastrophic accident or illness as verified by the employee's physician, and substantiated in writing by the Sick Leave Pool Committee; **and (2) to provide family leave for Educational Support Professionals who are new parents through birth, adoption, or guardianship pursuant to MN statute 181.9413.**

#### 10. 5.2 **Qualifications:**

- a. The employee has no accrued sick leave.
- b. The employee must request and be granted a leave of absence from Human Resources and meet the following criteria for **catastrophic accident or illness:**
  - 1) An accident with major injury causing absence from the employee over an extended period of time, that is substantiated in writing by the Sick Leave Pool committee; or
  - 2) A serious **physical or mental health** illness causing absence by the employee over an extended period of time that is substantiated by the Committee; or
  - 3) A serious recurring illness causing periodic absences by the employee over an extended period of time that is substantiated by the Committee.

**c. The employee must request and be granted a leave of absence from Human Resources and meet the following criteria for family leave:**

**1) A person giving birth;**

**2) a person who has adopted a child;**

**3) a person who has gained legal guardianship of a child; or**

**2) The spouse or domestic partner of any of the above.**

### 10. 5.3 Membership.

a. **Eligibility:** All Educational Support Professionals of the Minneapolis Public Schools, as defined in Article 2.1 of this Agreement, are eligible to be members of the Sick Leave Pool provided they have completed probation and work twenty (20) or more hours per week. **All eligible Educational Support Professionals automatically are enrolled in the Sick Leave Pool once they have completed probation.** They must join ~~opt out of~~ the sick leave pool within thirty (30) working days after completing probation or within thirty (30) working days after the beginning of any succeeding school year.

#### b. Contribution:

##### 1) Initial Contribution:

- **New to the District:** Educational Support Professionals new to the District and joining the sick leave pool within thirty (30) working days after completing probation must contribute four (4) hours of sick leave at the time of enrollment.
- **Membership subsequent to initial eligibility: If Educational Support Professionals who have opted out of the Sick Leave Pool want to rejoin the pool, they** Thereafter, an Educational Support Professional electing to join the sick leave pool after the date of their first eligibility must contribute the number of hours that would have been deducted had the employee **remained opted into** ~~joined~~ the pool at the initial time of eligibility.

2) **School Year End:** At the end of the school year if the balance of the hours in the sick leave pool is less than ~~1,000~~ **3000**, each member shall contribute an equal number of hours, not to exceed four (4) hours to restore the total number of hours in the pool to ~~1,000~~ **3000**. The hours shall be deducted from each member effective November 15 of the following school year.

- 3) **Low Sick Leave Pool Balance:** In addition to the above annual donation, an additional donation of four (4) hours per member shall be made whenever the number of hours in the pool is 100 or less.
- c. **One-Hour Increments:** Donations shall be made in full one-hour increments. No fractional hour donations shall be made.
  - d. **Suspension from Participation:** In the event that a member does not have four (4) hours of unused sick leave at the time a deduction to the pool is required, the member shall be suspended from participating in the pool and no deduction shall be made until the member has accrued four (4) hours unused hours of sick leave. At that time, the member shall be reinstated in the pool and the deduction shall be made.
  - e. **Reimbursement of Hours:** Educational Support Professionals who have accessed the sick leave pool shall remain members until they have reimbursed an equal number of days/hours as they have withdrawn from the sick leave pool.
  - f. **Withdrawal from the Pool:** A request by an Educational Support Professionals to withdraw from membership in the pool must be in writing to the Human Resources Department, **between October 1 and** no later than November 1.
  - g. **Irretrievability:** All days donated to the sick leave pool shall be irretrievable by the donor.

#### 10.5.4 Administration:

- a. **Committee:** The sick leave pool shall be administered by a six (6) person committee, three (3) to be appointed by the union and three (3) to be appointed by the Superintendent of Schools, or their designee.
- b. **Meetings:** The Committee will meet on an "as needed" basis to review requests for sick leave pool usage, but must meet at least three times per year at a minimum.
- c. **Reporting:** The Committee shall present an accounting of the pool's operation to the Educational Support Professionals Executive Board and the Superintendent's Designee at the beginning of each school year.
- d. **Committee decisions:** The Committee's decision regarding an applicant's eligibility for the sick leave pool shall be final. The decisions are not subject to the grievance procedure. If the Committee is deadlocked, the "tie" will be resolved by granting the participating employee access to sick leave pool benefits. The Committee may seek a second opinion from another physician if it feels the information

provided by the employee's physician is inadequate or inconclusive regarding the employee's eligibility for access to pool benefits.

#### 10.5.5 Operation:

- a. **Eligibility:** A member of the sick leave pool is eligible for the benefit after exhausting all of their accumulated sick leave and is not covered by disability from pension or social security.
- b. **Beginning of Benefit:** The sick leave pool benefit begins after five (5) consecutive working days from the time the Educational Support Professionals has depleted their individual accumulated sick leave.
- c. **Usage for Personal Illness and Family Leave:** Sick leave pool days shall be used only for the personal illness of the Educational Support Professional, and Family Leave for new parents through birth, adoption or guardianship.
- d. **Application and Medical Documentation:** Application, in writing, made to the Human Resources Department must be accompanied by verification from the employee's physician/psychiatrist that the applicant is/was unable to work. The Human Resources Department shall verify the applicant's membership in the Sick Leave Pool  
  
Subsequent to approval by the Sick Leave Pool Committee the participating employee must verify illness each thirty (30) calendar days that they continue to draw from the sick leave pool, and shall submit regular service reports during the time of disability as a condition of receiving payment from the pool.
- e. **Maximum Benefit:** Effective July 1, 2003, the maximum cumulative Sick Leave Pool benefit shall be ninety (90) working days (four (4) hours per day) for any participant per sick leave pool request. ~~during their career as an Educational Support Professionals~~ may request more than one use of the Sick Leave Pool.
- f. **Usage for Assigned Work Time:** Sick leave days from the pool may be drawn for only those weeks of the school year and hours of the normal work day that the member would have been regularly assigned to work, including summer hours if that member worked the previous summer.
- g. **Leave of Absence:** Members on leave of absence (other than for medical reasons) vacation or layoff are not eligible for benefits from the pool.
- h. **Accrual of Sick Leave or Vacation:** Members drawing from the sick leave pool do not accrue sick leave or vacation time, but retain eligibility and district contribution for insurance benefits.

10.5.6 **Exclusions:** Sick leave pool days will not be available for any treatment and/or surgery that is considered elective in nature.