Hagerstown Community College offers an Employee Sick Leave Bank to serve as a depository into which participating employees may donate accrued sick leave time for allocation to other participating employees in order to support them when they face a major health crisis. The purpose is to create a caring environment and to alleviate the economic hardship caused when a major health condition or injury occurs.

A serious health condition is defined as a condition of the employee that renders the employee unable to perform his or her job functions. The serious health condition must be certified by a “health care provider”. A health care provider is any professional that is recognized by any of the College’s group health plan(s) performing within the scope of their practice as defined under state regulations issued by the U.S. Department of Labor.

The following criterion applies for employee participation in the employee sick leave bank:

- Employees voluntarily participate through an annual enrollment into the program during the College’s open enrollment period.
- An employee must exhaust all accrued and unaccrued vacation and sick leave prior to requesting additional leave from the sick leave bank.
- Days drawn from the sick leave bank in addition to the vacation and sick leave days taken shall not exceed 60 consecutive calendar days. Employees may be eligible for long term disability after 90 consecutive calendar days if all conditions are met in accordance with the long term disability policy.
- A thirty (30) working day waiting period is required before any Employee Sick Leave Bank benefits may begin.

**Procedures**

*Policy Procedures 606.01*

**Eligibility & Enrollment**

A. All full-time and part-time regular employees who receive sick leave benefits, regardless of the number of hours they work per week, are eligible to participate in the Employee Sick Leave Bank.

B. Participants must have available the amount of sick leave they accrue during one month of employment on December 31st before enrolling into the bank.

C. After the initial implementation of the Employee Sick Leave Bank, the effective date for enrollment into the Bank is January 1st of each calendar year.

D. Enrollment in the Employee Sick Leave Bank will occur once every year **during the College’s annual open enrollment period**. Employee must complete an
Employee Sick Leave Bank enrollment form that authorizes the College to deduct a specified amount of sick leave from their sick leave accrual.

E. Employees must re-enroll annually to continue their membership in the Employee Sick Leave Bank.

F. A new employee who is hired before November 30th may be eligible to enroll into the employee sick leave bank.

G. Employees do not retain ownership of any days they contribute to the Employee Sick Leave Bank and have no right to withdraw those days once contributed, nor do employees owe any days to the bank once used.

**Policy Procedures 606.02**

**Approved Uses and Exclusions**

A. Contributors will be permitted to use the Bank for payment of regular duty days while out of work for prolonged, incapacitating personal illness, injury or quarantine of the employee.

B. Leave for surgery will be approved only for surgery that is medically necessary as supported by medical certification.

C. Leave under this policy will not be approved for illness of members of an employee’s family or to care for or assist other persons who are ill or disabled.

D. Leave will not be approved due to disability which is covered under Workers’ Compensation laws.

E. Leave from the Employee Sick Leave Bank may not be used for prolonged, partial-day absences.

F. An employee who was out on leave from the Bank and who returns to work for any period of time must re-apply to the Employee Sick Leave Bank for any subsequent absences even if those absences are for the same illness, injury or quarantine. The 30-day waiting period will apply for these types of cases.

G. Faculty may only draw from the Employee Sick Leave Bank during their Contract period.

**Policy Procedures 606.03**

**Donation of Sick Leave**

A. Employees will be requested to donate a minimum of one month’s accrual of sick leave.
B. When the employee sick leave bank becomes low during the calendar year, employees may be asked to donate an additional amount of sick leave.

C. Once the sick leave is donated to the Employee Sick Leave Bank, employees may not request for any reason that the leave be returned to them.

Policy Procedures 606.04
Rules and Procedures

A. Members must use all of their accrued and un-accrued sick and accrued and un-accrued annual leave before receiving pay from the Bank.

B. A thirty (30) working day waiting period is required before any Sick Leave Bank benefits may begin. Accrued sick and annual leave may be used during this waiting period. If the amount of accrued sick and annual leave exceeds the 30 working day waiting period, the employee must exhaust all leave prior to receiving payment from the Bank.

C. A maximum of sixty (60) Sick Bank days will be granted to any member in any rolling 12-month period. Sick Bank days will cease to be granted on the day a physician releases the employee to return to work.

D. Payment to an employee from the Employee Sick Leave Bank will be equal to their normal work schedule and rate of pay. For example, an employee who works 5 hours per day, 4 days per week will receive payment from the Bank of 20 hours per week at their normal rate of pay.

E. Employees will not accrue leave benefits while receiving payment from the Employee Sick Leave Bank.

F. While an employee is receiving payment from the Bank, the college will continue to deduct insurance contributions from the monies paid to the employee from the Employee Sick Leave Bank.

G. The employee must pay the premiums for any insurances during any unpaid leave taken by the employee during the 30-day waiting period.

H. At the end of the leave, a physician’s certification of ability to return to work must be submitted to the Human Resources Office. Any unused approved sick bank time must be returned to the Employee Sick Leave Bank.

I. When an employee knows in advance that an illness or injury needs serious medical attention, the employee should complete the Employee Sick Leave Bank request form and submit it to Director or Assistant Director of Human Resources with the appropriate medical certification.

J. If an employee is unable to personally make an Employee Sick Leave Bank request due to the severity of the medical condition, or the employee is incapable
of making the request due to other reasonable circumstances, the employee’s spouse, significant other, or family member shall call the Director of Human Resources to discuss the situation, and request withdrawal from the bank, if needed. If no family member exists, a friend, the employee’s supervisor or co-worker may make the request.

K. The Director of Human Resources reserves the right, at any point in time, to require a second opinion concerning continuing illness or disability. If a second opinion is requested, the employee may agree to be examined by a physician of the College’s choosing at the College’s expense, or the employee may choose to see a physician of his/her own choice, in which case, the employee shall be liable for any cost incurred in connection with the exam.

L. If an employee is eligible for any FMLA leave, such leave will run concurrently with any Employee Sick Leave Bank leave granted. The Employee must complete the necessary FMLA leave paperwork per the College’s policy 610.

M. Once an employee qualifies for long-term disability benefits under the College’s insured plan, no additional leave days will be granted from the Sick Leave Bank.

N. When an employee leaves employment with the college, membership in the Employee Sick Leave Bank ceases and any contributions remain with the Employee Sick Leave Bank.

O. If the Board of Trustees terminates the operation of the Employee Sick Leave Bank, all accumulated leave balances will be equally distributed to current members.
EMPLOYEE SICK LEAVE BANK
REQUEST FORM

I, ____________________________________, a regular full-time or part-time employee,
have exhausted all accrued and unaccrued available leave and would like to request time
from the employee sick leave bank to cover the following period:

______________________   to   __________________

I, also certify that I have met all other eligibility requirements, which entitles me
to use of the employee sick leave bank.

Employee Signature _____________________________________ Date ____________

Approved by:
HR Director Signature____________________________________ Date__________

Total Hours deducted from Sick Leave Bank for employee use _________________

Finance Signature____________________________________ Date__________