

KENOSHA UNIFIED SCHOOL DISTRICT  
Kenosha, Wisconsin

April 25, 2022

Voluntary Sick Leave Bank Program

**Background:**

The purpose of the Kenosha Unified School District (KUSD) Voluntary Sick Leave Bank Program (Bank) is to provide additional paid leave for employees who have exhausted their accrued sick and vacation leave benefits as the result of a catastrophic illness or injury.

The purpose of the Bank is not to provide unlimited paid sick leave for any medial reason but to alleviate the hardship caused when an employee loses compensation as the result of a catastrophic illness or injury.

Attachment A outlines the proposed Kenosha Unified School District's Voluntary Sick Leave Bank Program.

**Board Consideration:**

Administration is recommending that the Board approve the implementation of a Voluntary Sick Leave Bank Program as outlined in attachment A.

Bethany Ormseth, Ed.D  
Interim Superintendent of Schools

Kevin Neir  
Interim Chief Human Resources Officer

## Attachment A

### Kenosha Unified School District Voluntary Sick Leave Bank Program

#### Voluntary Sick Leave Bank Program

The purpose of the Kenosha Unified School District (KUSD) Voluntary Sick Leave Bank Program (Bank) is to provide additional paid leave for employees who have exhausted their accrued sick and vacation leave benefits as the result of a catastrophic illness or injury. The Bank serves as a depository into which participating employees may voluntarily contribute earned but unused personal sick days for allocation to other participating employees. The purpose of the Bank is not to provide unlimited paid sick leave for any medical reason but to alleviate the hardship caused when an employee loses compensation as the result of a catastrophic illness or injury.

#### Definitions

- **Bank Member:** An employee who has voluntarily contributed personal sick days to the Sick Leave Bank. Only bank members may apply for and receive days from the Bank.
- **Catastrophic Illness or Injury:** A severe medical condition which requires an employee's absence from work for a prolonged period of time (more than 10 consecutive days) and which results in a substantial loss of income to the employee because of the exhaustion of all earned sick and vacation if eligible. A qualifying illness or injury might include, but is not limited to, cancer, major non-elective surgery, serious accident, heart attack, or complications of pregnancy. In order to be defined as catastrophic, an illness or injury must be a seriously incapacitating, of extended duration, and require the services of a licensed health care provider.
- **Employee:** An individual employed with Kenosha Unified School District who has a sick or vacation leave balance.
- **Licensed Health Care Provider:** A trained health care provider participating within the scope of their license as determined under FMLA.
- **Sick Leave Bank:** A pool of days voluntarily donated by Kenosha Unified School District employees. The Bank provides paid sick leave to bank members who meet the eligibility requirements. It is administered by Human Resources.
- **Benefits Eligible:** An individual who has met the eligibility requirements as defined under the KUSD Benefits Guide for sick or vacation.

#### Establishment of the Bank

The Bank will be established through voluntary contribution of one (1) sick day by eligible employees during an initial enrollment period. Contributing a sick day establishes membership in the Bank and eligibility to apply for withdrawal from the Bank.

Once the Bank has been established, an open enrollment period will be held annually to allow bank members to contribute earned but unused personal sick time to the Bank. At the same time, any eligible employee may join the bank by contributing one (1) earned but unused sick day. In order to be a member in good standing, members must contribute at least one (1) earned but unused sick day during the open enrollment period. Should the Bank reach a balance of forty-five (45) or fewer days, a special

contribution period may be opened in order to increase the number of available Bank days. If any days remain in the Bank at the end of the fiscal year, they will be carried over to the next fiscal year.

### **Donations to the Bank**

1. Eligible employees will be given an opportunity to donate to the Bank during the open enrollment period. Donors must have a minimum balance of ten (10) sick days in their personal account after making a donation to the Bank.
2. Any employee who wishes to donate a sick day to the Bank must sign a statement indicating the donation is voluntary. Donation forms will be submitted to Human Resources.
3. Donations made during the Sick Bank enrollment period (usually May of each year) qualify the employee for the following fiscal year (June – July).
4. Employees may not designate a particular individual to receive their donated sick time.
5. Once sick days have been donated to the Bank, they cannot be returned to the donating employee.
6. Any employee who contributes to the Bank will have their permanent sick balance reduced by the number of days they contribute to the Bank (i.e. If an employee has an eligible maximum of 90 days' and donates 1 day to the Bank their eligible maximum now becomes 89 days' for the remainder of the employee's employment with the District).

### **Administration of the Bank**

The Bank will be administered by Human Resources. Human Resources will be responsible for coordinating the annual donation period, processing requests, and maintaining appropriate related records. Human Resources will also be responsible for reporting Bank usage to the Superintendent of Schools upon request.

Human Resources will prepare a written notification to the requesting member approving or denying the application for paid sick leave through the Bank. Human Resources will coordinate with the Payroll Department to ensure bank balances are adjusted for donations and withdrawals when approved. Human Resources will not grant Bank days to members when the Bank does not have available days or is below the required minimum of forty-five (45) days.

### **Membership Eligibility, Obligations, and Limitations**

1. Membership in the Bank is open to all KUSD employees who are benefits eligible.
2. Enrollment in the Bank continues; provided the member has donated a minimum of one (1) day of leave and a balance of ten (10) sick days remain in their personal account after donating to the Bank.
3. Once enrolled membership continues from year-to-year unless the member submits a revocation form to Human Resources to discontinue membership, termination of employment, retirement, or death. No payment of benefits will be made to survivors.
4. Members must waive all claims to sick days voluntarily donated to the Bank, including any monetary or retirement related value the days may hold.
5. The Bank is only available to those employees enrolled who have completely exhausted all sick and vacation leave and who are not receiving disability (Short-Term, Long Term or Aflac) or Worker's Compensation.

6. Bank days must be used for an employee or family member's (spouse, child, or parent) serious health condition as stipulated under the Family Medical Leave Act (FMLA). The illness or injury must require a health care provider's care as defined in the FMLA. The Bank days are for continuous leave, not intermittent leave.
7. Elective surgery does not qualify as a catastrophic illness or injury. If complications arise resulting in a serious health condition, the situation may qualify as a catastrophic illness or injury.

#### **Withdrawals from the Bank**

1. A member must complete an application for Bank days and submit it to Human Resources for approval.
2. Applications must be accompanied by a statement from a licensed health care provider that includes the beginning date of the condition, a description of the illness or injury, and a prognosis for recovery. Request should indicate the estimated number of Bank days required and information related to any pending disability claims.
3. The amount of Bank days granted for each request is determined by Human Resources and cannot exceed a maximum of fifteen (15) working days per eligible member. No member may receive more than fifteen (15) working days in a twelve-month period (12 months is measured on the fiscal calendar).
4. Bank days may be used only during the term of an employees' period of appointment.
5. Bank days granted may be used only for the purpose requested on the application. Any unused portion will be returned to the Bank.
6. Bank days are not available for absences taken prior to eligibility for participation in the Bank.

#### **Appeal Procedure**

There is no appeal procedure as the decision of the District is final.