

October 20, 1997

SHARED SICK LEAVE POLICY

Employees of the Chandler Public Schools shall be allowed to participate in a program for sharing earned sick leave. The program shall conform to state statute. The program shall permit district employees to donate sick leave to a fellow district employee who is pregnant or recovering from childbirth or who is suffering from or has a relative or household member suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition which has caused or is likely to cause the employee to take leave without pay or to terminate employment.

As used in this policy:

1. "Relative of the employee" means a spouse, child, stepchild, grandchild, grandparent, stepparent, or parent of the employee;
2. "Household members" means those persons who reside in the same home, who have reciprocal duties to and do provide financial support for one another. This term shall include foster children and legal wards even if they do not live in the household. The term does not include persons sharing the same general house, when the living style is primarily that of a dormitory or commune;
3. "Severe" or "extraordinary" means serious, extreme or life-threatening including temporary disability resulting from pregnancy, miscarriage, childbirth and recovery from; and
4. "District employee" means a teacher or any full-time employee of the school district.
5. "Leave without pay" means leave taken after exhausting sick leave or, in the case of certified personnel, after exhausting sick leave and having the cost of a substitute deducted for a period of not more than twenty days.

A district employee may be eligible to receive shared leave pursuant to the following conditions:

1. The board or its designee determines that the employee meets the criteria described in this section, and
2. The employee has abided by district policies regarding the use of sick leave.

A district employee may donate annual leave to another district employee only pursuant to the following conditions:

1. The receiving employee has exhausted, or will exhaust, only sick leave earned due to pregnancy, miscarriage, childbirth and recovery from, an illness, injury, impairment, or physical or mental condition, which is of an extraordinary or severe nature, and involves the employee, a relative of the employee or household member;
2. The condition has caused, or is likely to cause, the employee to go on leave without pay or to terminate employment;
3. The board of education or its designee of the district permits the leave to be shared with an eligible employee;

4. District employees may not donate excess sick leave that the donor would not be able to otherwise take.
5. An employee may not receive more than 60 days of donated sick leave.
6. The employee shall submit, prior to approval or disapproval, a medical certificate from a licensed physician or health care practitioner verifying the severe or extraordinary nature and expedited duration of the condition.
7. Donated sick leave is transferable between employees of different school districts in the state with the agreement of both boards of education of each school district.
8. The receiving employee shall be paid the regular rate of pay of the employee. The sick leave will be designated as shared sick leave and be maintained separately from all other sick leave balances.
9. Any donated sick leave may only be used by the recipient for the purposes specified in this section.
10. Only sick leave earned pursuant to O.S. 70-6-104 available for use by the recipient must be used prior to using shared sick leave.
11. Any shared sick leave not used by the recipient during each occurrence as determined by the board of education shall be returned to the donor. The shared sick leave remaining will be divided among the donors on a prorated basis based on the original donated value and returned at its original donor value and reinstated to the annual leave balance of each donor.
12. All donated sick leave must be given voluntarily. No employee shall be coerced, threatened, intimidated, or financially induced into donating sick leave for purposes of the leave-sharing program.

References: 70 O.S. 6-104 (Section 141, School Law Book, 1997)