

**ARTICLE X**  
**LEAVES OF ABSENCE**

**Section 1. Sick Leave**

- 1.1 At the beginning of the school year each staff member will be granted fifteen (15) days of sick leave to cover absence of the staff member due to personal illness, or illness in the immediate family without loss of pay. Up to ten (10) days unused leave days shall be carried over to the following school year.
- 1.2 Unused sick leave days may accumulate from year to year to a maximum of 200 days to be used only for personal illness.
- 1.3 The District Superintendent may, at his discretion, grant an additional allocation of sick leave to a staff member who has exhausted his/her sick leave accumulation. Such advance of sick leave may be deducted from future years sick leave accumulations.
- 1.4 A staff member may be required, at the discretion of the District Superintendent, to submit a statement from his/her doctor as to the severity of his/her illness and his/her ability to perform his/her duties and responsibilities.
- 1.5 A staff member should notify his/her immediate supervisor as promptly as possible of his/her absence due to illness and should keep him informed as to his/her progress and possible return to work.
- 1.6 Notice of accumulated sick leave days: Members will be notified in writing of accumulated sick and personnel days. Twelve (12) month employees will be notified in July; eleven (11) month employees will be notified in August; and ten (10) month employees will be notified in September of each school year.

★ **Section 2. Sick Leave Bank** ★

- 2.1 A sick leave bank will be established to provide unit members with additional sick leave in the event of long-term illness or injury. Long-term illness or injury shall be defined as an illness or injury which is expected to incapacitate the unit member for an extended period of time, requiring absence from work for a minimum of forty (40) consecutive work days during the normal work year. The District Superintendent and Union President have the right to waive the forty (40) days waiting period due to mutually agreed upon extenuating circumstances.

- 2.2 A Committee of four will determine eligibility of the use of the bank with two members chosen by the Association and two members chosen by the Superintendent. A majority vote is required in all decisions. The Committee is confidential. The Committee shall not have the President of BUP or the District Superintendent on it.
- 2.3 The Committee will review a request for use of the sick leave bank within fifteen (15) calendar days of receipt of the original request. All decisions of the Committee are final and nonreviewable by the Association or BOCES. Decisions of the Committee shall be in writing and communicated to the unit member requesting the use of the bank, Association President and Superintendent.
- 2.4 Effective July 1, 2003, each unit member shall contribute two of his/her accumulated sick leave days to the bank. At retirement, a unit member may contribute his/her remaining sick days, up to 15 days (above the 200 accumulated days) to the bank. Newly hired unit members will contribute the first of their two days to the bank in their first year of employment and the second in their second year of employment. If the sick leave bank falls below 150 days, unit members shall contribute an additional day to the bank. The BOCES will also contribute one (1) day for each unit member, if the sick bank falls below 150 days.
- 2.5 The unit member may apply in writing to the Committee for use of the sick bank after being absent 40 consecutive workdays and only after the unit member has exhausted that unit member's paid sick time. Only one 40 consecutive day waiting period is required per specific medical condition. Eligibility to draw from the sick bank may commence on the 41<sup>st</sup> day of the illness as determined by the Committee.
- 2.6 The unit member must submit documentation from his/her physician for the reason for the extended illness. The Committee reserves the right to request a physical examination by a BOCES' physician at BOCES' expense.
- 2.7 A unit member may request up to 60 sick leave days from the bank for the same medical incident. A unit member may request up to two additional 60-day increments for the same medical incident, not to exceed 180 days.
- 2.8 The sick leave bank may not be used for a unit member on an unpaid leave of absence.