

SICK LEAVE BANK PROCEDURE

I. Procedure

A. Administration of Sick Leave Bank

1. Western Dakota Tech's (WDT) Human Resource Director shall be responsible for managing and administering the college's Sick Leave Bank to include the procedural establishment, solicitation of contributions from faculty and staff, processing of applications, and administering eligibility.
2. The Rapid City Area Schools Payroll Manager is responsible for record management of the donated days and the Sick Leave Bank balance.

B. Enrollment in Sick Leave Bank

1. New permanent regular, full-time and permanent regular, part-time employees who qualify for WDT benefits qualify for the Sick Leave Bank benefit and are automatically enrolled in the Sick Leave Bank upon employment.
2. An employee who qualifies for the Sick Leave Bank benefit may decline participation in the Sick Leave Bank by completing the Non-participation in Sick Leave Bank form given to them at new employee orientation. The completed opt-out form must be submitted to WDT's Human Resource Director within thirty (30) calendar days of employment. Employees who decline participation in the Sick Leave Bank within thirty (30) calendar days of employment, will not be charged/docked sick leave for the Sick Leave Bank. Employees who decline participation in the Sick Leave Bank may not participate in the Sick Leave Bank during their employment at WDT.
3. Employees who are enrolled in the Sick Leave Bank must donate eight (8) hours of their sick leave to the bank upon employment. Thereafter, employees enrolled in the Sick Leave Bank will donate eight (8) hours of their sick leave each academic year unless the Sick Leave Bank has accumulated at least 300 days before the beginning of the said academic year.
4. Employees who are enrolled in the Sick Leave Bank beyond their initial thirty (30) days of employment may opt out at any time by completing the Non-participation in Sick Leave Bank form found on the Western Dakota Tech website and by submitting the completed form to WDT's Human Resource Director. Upon opt out, the employee may not participate in the Sick Leave Bank for the duration of their employment at WDT. Employees who opt out forfeit all previous days donated to the Sick Leave Bank.

C. Qualifiers for Sick Leave Bank Days

1. Employee has been an enrolled member in the WDT Sick Leave Bank for at least one (1) year.
2. Employee has an illness, injury, or sudden unexpected medical condition that qualifies as a serious health condition as defined by the Family Medical Leave

Act, requires the services of a licensed medical practitioner, and requires the employee to be absent from work six (6) consecutive workdays or more for each occurrence. Minor and major illnesses will be based on the same criteria as stated in the FMLA.

3. Employee requests Sick Leave Bank days in writing and provides a completed FMLA form – Certification of Health Care Provider for Employee’s Serious Health Condition to WDT’s Human Resource Director.
 4. Employee has exhausted any and all accrued Sick Leave, accrued Vacation Leave, and accrued Personal Leave.
- D. Benefit
1. Employees in their second year of enrollment in the Sick Leave Bank may draw a maximum of eighty (80) hours from the bank per academic year.
 2. Employees in their third year of enrollment in the Sick Leave Bank may draw a maximum of 160 hours from the bank per academic year.
 3. Employees in their fourth year or beyond of enrollment in the Sick Leave Bank may draw a maximum of 240 hours from the bank per academic year.
 4. Employees must be absent from work six (6) consecutive workdays before being allowed to use sick leave bank hours in less than full workday increments, for the purposes of scheduled follow-up Dr. visits or scheduled treatments in reference to their illness, injury, or serious health condition.
 5. Employees who are granted sick leave from the Sick Leave Bank will not be required to pay back that sick leave to the bank, unless it is determined that the individual has misrepresented his or her medical condition.

II. Definitions

- A. FMLA means Family Medical Leave Act.
- B. Eligible employee – means an employee who has worked for WDT for at least one (1) year as a permanent regular, fulltime or permanent regular, part-time employee and is enrolled in the Sick Leave Bank.
- C. Full workday – a full workday will be determined based on the employee’s work agreement. Example – a full time employee’s work day is 8 hours and a halftime employee’s workday is 4 hours.

Legal References: None