

Personal Leave Bank Policy

School Laws of West Virginia §18A-4-10 states that a county board of education may establish a personal leave bank or banks to which employees may contribute no more than two days of personal leave per school year; Provided, that the bank or banks be established either jointly or separately for both professional and school service personnel and that a bank be available to all school personnel. Such personal leave bank shall be established and operated pursuant to rules adopted by the county board; Provided, however, that such rules may limit the maximum number of days used by an employee, shall require that leave bank days be used only by an active employee with less than five days accumulated personal leave who is absent from work due to accident or illness of such employee, and shall prohibit the use of such days with the extension of insurance coverage pursuant to section thirteen, article sixteen, chapter five of this code. Such rules shall require that contributions shall reduce, to the extent of such contribution, the number of personal leave days to which an employee is entitled by this section: Provided further, that such contribution shall not reduce personal leave days without cause to which an employee is entitled. No employee may be compelled to contribute to such personal leave bank.

The purpose of the Personal Leave Bank is to provide McDowell County Schools' employees relief from undue hardship due to absence from work on a long term basis because of personal illness, injury or incapacitation sufficiently severe that they could not perform their job duties. The Personal Leave Bank is not intended to be used for cases of elective surgery, normal maternity leave, or minor illness. Temporary employees are not eligible to participate.

The rules and regulations of the Personal Leave Bank will be administered by the Employee Benefits Committee. The committee will also determine who would qualify to receive days from the Personal Leave Bank. The committee consists of the following:

1. The president or designee from the McDowell County Federation of Teachers
2. The president or designee from the McDowell County Education Association
3. The president or designee from all McDowell County Schools Service Personnel Associations
4. A representative from the McDowell County Administrators Association
5. A representative from the Central Office Administration – Chairperson
6. A representative from the Central Office service personnel – Secretary
7. A non-union teacher representative
8. A non-union service personnel employee

Personal Leave Bank Policy – Rules and Regulations

1. All McDowell County Board of Education employees who earn personal leave are eligible to participate in the Personal Leave Bank.
2. A minimum of one hundred (100) employees must voluntarily become members of the Bank in order to create/maintain the Bank.
3. To become a member, each person must voluntarily contribute two personal leave days to the Bank. Once these days are contributed, the employee relinquishes all claims to said days. In each year thereafter, the automatic rate of contribution for members shall be based on the following schedule:

5 to 60 days of accumulated personal leave	2 days
61 to 120 days of accumulated personal leave	1 ½ days
121 to 180 days of accumulated personal leave	1 day
181 or more days of accumulated person leave	½ day

4. For continued eligibility, the member must agree to contribute an additional day to the Bank when the committee determines an additional assessment is necessary. In the event that the Bank becomes depleted below one hundred (100) days, all members shall be notified that they must donate an additional day. However, no employee may contribute more that two personal leave days per year.
5. The Bank shall be used only by the individual employee contributor for his/her personal illness.
6. The Bank shall not be used for illnesses of other members of the employee's family or used by the employee to remain away from his/her position to care for a member of his/her family.
7. The Bank may not be used by employee contributors disabled by an injury covered by Workers' Compensation.
8. To be eligible to use/receive days from the Bank, employees must contribute to the Bank. No personal illness days will be allotted from the Bank until an employee has zero (0) sick leave days and has been absent from work a minimum of three consecutive non-paid days. In order to receive days from the Bank, an employee (or designee) must apply to the Bank within thirty days of eligibility. Employees will receive a decision from the Employee Benefits Committee within 30 days of the request.

Personal Leave Bank

McDowell County Schools
30 Central Avenue
Welch, WV 24801

Personal Leave Bank

Employee Withdrawal Form

I, the undersigned employee of McDowell County Schools, withdraw my membership from the Bank. I understand the rules and regulations of the policy and that any days donated to the Bank remain the property of the Bank.

Name (legal signature) _____

Name (printed) _____

Social Security Number _____

Position _____

Job Site _____

Date _____

Return the form to:

Carla Horn, Treasurer/CSBO
McDowell County Schools
30 Central Avenue
Welch, WV 24801

9. Employee enrollment and participation in the Bank shall be made annually between July 1 and September 15. The opportunity to participate in the Bank shall be available to all employees each year within the specified dates.
10. Upon the termination from employment or the voluntary withdrawal from the Bank, the employee shall not be permitted to withdraw donated days from the Bank. All days donated to the Bank will remain the property of the Personal Leave Bank.
11. Personal illness days withdrawn from the Bank do not have to be repaid by the individual using them.
12. Contributions to the Personal Leave Bank must be made on a McDowell County Board of Education Employee Contribution Form by the individual member.
13. An employee requesting a donation of sick leave days from the Bank shall be required to submit a Physician's Statement describing the illness with a prognosis for a date to return to work.
14. Sick day grants from the Bank, as approved by the committee, shall be made in increments of no more than thirty (30) consecutive days for individual applicants. The employee may submit a request for an additional thirty (30) days of sick leave, by submitting another request from his/her physician. The total number of withdrawal days may not exceed one hundred (100) days for any plan member.
15. Unused Bank days deposited in the recipient's account shall revert to the Bank.
16. The employee may appeal to the Employee Benefits Committee in the event an initial request or a renewal request is denied. The appeal will be considered if sufficient new data is provided.
17. Employees who request and receive a leave of absence without pay, approved by McDowell County Schools, cannot receive days from the Bank.
18. If any employee should become incapacitated, his/her application may be submitted to the Committee by the employee's spouse, or if no spouse exists, then a member of the family on their behalf.

Source: School Laws of West Virginia §18A-4-10

Adoption/Implementation Date: July 1, 2007

Personal Leave Bank

McDowell County Schools
30 Central Avenue
Welch, WV 24801

Personal Leave Bank

Employee Contribution Form

I, the undersigned employee of McDowell County Schools, have been informed of the provision of the Personal Leave Bank and wish to become a member of the Bank. I voluntarily contribute two (2) days from my accumulated sick leave and relinquish all claims to said days. I understand the rules and regulations of the policy.

Name (legal signature) _____

Name (printed) _____

Social Security Number _____

Position _____

Job Site _____

Date _____

Return the form to:

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30 Central Avenue
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