

CATASTROPHIC SICK LEAVE BANK HANDBOOK

Established November 1, 1990

REVISED 2024-2025

PURPOSE AND ELIGIBILITY

The purpose of the Catastrophic Sick Leave Bank (CSLB) is to provide additional sick leave days to CSLB members in the event of a catastrophic illness or injury.

The CSLB has strict criteria and is for medical conditions that are usually considered life-threatening or with the threat of serious residual disability.

CSLB approved awards must meet all of the following eligibility criteria;

- Employee must be a member of the CSLB.
- Employee must make a three-day donation of their local sick leave.
- The three-day donation must have been earned in accordance with leave guidelines¹
- Employee must exhaust all personal accrued leave time available.
- Employee must be absent for five consecutive workdays.

Employee must also have one of the following listed eligibility criteria*;

- Inpatient facility admission (room and board charges are required)
- Observation admission (room and board charges are required)
- Cancer with chemotherapy or radiation treatments
- High risk pregnancy with required bedrest
- Hospice admission
- Serious mental illness
 - As defined by the Texas Insurance code sec. 1355.001

*More details found in the section titled Granting of Sick Leave Days from the Catastrophic Sick Leave Bank.

The following is a list of exclusions that will not be approved for CSLB;

- Normal pregnancy
- Outpatient Admission
- Ambulatory Surgical Care Admission
- Emergency room admission
- Routine office care
- Elective cosmetic surgery
- Approved Workers' compensation claims
- Any other condition not meeting the above listed eligibility criteria.

Days may be granted from the CSLB only after the member has exhausted all accumulated state and local leave days. Employees that receive vacation days must also exhaust all those days. Sick leave days from the CSLB are those days granted to a member who, through a catastrophic illness or injury, is unable to perform the duties of his/her position. The CSLB does not cover all sick absences that an employee is unable to work as prescribed by a physician.

The CSLB benefit is neither a replacement for nor equivalent with disability income replacement. NEISD offers disability insurance to benefit eligible employees. Enrollment for disability insurance is available during a new hire's enrollment period or during NEISD annual open enrollment period.²

¹ Reach out to Payroll Department for leave guidelines.

² Reach out to Employee Benefit Department webpage to learn more about disability insurance,

MEMBERSHIP

Benefit eligible employees are eligible for membership.

Enrollment to the CSLB must be done during a new hire's enrollment period or during NEISD annual open enrollment period. Enrollment during a new hire's enrollment period will be effective on the 1st of the month after hire date. Enrollment during NEISD annual open enrollment period will be effective January 1st of the following calendar year.

Benefit eligible employees will use the Employee Center online enrollment tool to enroll during enrollment periods.

Membership to the CSLB requires contributing three days of accrued or anticipated local sick leave.

CONTRIBUTIONS OF DAYS

Benefit eligible employees who enroll in CSLB require a contribution of three days of accrued or anticipated local sick leave. The three local sick leave days will be subtracted from the employee's local sick leave balance and may result in a negative balance. After the CSLB is effective and a member decides to cancel membership, the three contributed days are non-refundable.

Re-enrollment after cancellation of membership will require re-contribution of three days of accrued or anticipated local sick leave.³ Re-enrollment for a current benefit eligible employee is done during NEISD annual open enrollment period with CSLB being effective January 1st of the following calendar year.

Separation from employment with NEISD also terminates membership effective on date of separation. Re-employment with NEISD, and enrollment in CSLB, uses the guidelines listed in the Membership section of this handbook.

For CSLB purposes, the CSLB plan year is August 1 through July 31. If a member uses three or more days from the CSLB during this period, he/she will be required to re-contribute an additional three days the following school year for continuing membership. If the member uses fewer than three days, he/she will re-contribute the number of days actually used. As with the member's initial contribution of days, the member will be ineligible for a new claim until the additional days contributed have been earned in accordance with leave guidelines.⁴

Each year if the CSLB balance falls below the number of members, the active members must contribute an additional two days for the current school year. Members who do not wish to contribute the additional two days will forfeit membership upon written notification to the Employee Benefits office.

³ Sick leave balance may be negative after contribution of three local sick leave days.

⁴ Reach out to Payroll Department for leave guidelines.

Personnel on approved leave of absence will retain membership and are not required to donate additional days.

GRANTING OF SICK LEAVE DAYS FROM THE CSLB

Sick leave days from the CSLB are granted only after a member has exhausted all personal accumulated state, local leave, banked leave, and vacation leave days.

Days from the CSLB shall be granted only for the listed eligibility criteria within this handbook and which necessitate an absence from work for five consecutive days or longer. Awarded days can also be used on an intermittent basis for medical events of cancer with chemotherapy or radiation treatment or serious mental illness as defined by the Texas Insurance code sec. 1355.001.

It is important to note that the CSLB does not cover ALL sick absences where an employee is unable to work as determined by a physician. Additionally, CSLB days shall only be granted for absences in accordance with an employee's assigned work schedule – days will not be granted for holidays, planned vacation days or other non-duty days for which the member is not scheduled to work.

Applications to CSLB for absences associated with a pre-existing diagnosed or treated medical condition within the six-month period, prior to the effective date in the CSLB, will not be considered. Additionally, there is a 90-day waiting period from the effective date of the CSLB, before members can utilize the bank – this means that only absences that occur 90 days after enrollment, and that meet all other criteria contained within this guide are eligible for award.

CSLB members can apply for observation admissions of 23 hours or more. Granting of CSLB days, due to observation admission, is limited to a maximum of 15 days. All other eligibility criteria listed in this handbook must be met. Observation admission of less than 23 hours is excluded from being awarded CSLB days.

The CSLB will grant up to three days for bereavement due to the death of a member's spouse, child, parent, stepparent, or parent-in-law. A member does not need to satisfy the five consecutive days of absence when used for bereavement. Use of CSLB awarded days for bereavement do not have to be used consecutively but must be used within 30 days of family member's date of death.

The CSLB may be used on an intermittent basis (with supporting documentation) for the following medical diagnosis: Cancer with chemotherapy or radiation treatment and for serious mental illness as defined by the Texas Insurance code sec. 1355.001. Additionally, CSLB Intermittent usage criteria will require an approved Family and Medical Leave Act (FMLA) leave of absence with the Human Resource Office of Leave Management. CSLB days used must correspond with days reported on the Intermittent FMLA Tracking Form reported to the Human Resource Leave Management team.^{[1][2]} A member does not need to satisfy the five consecutive days of absence when using awarded days intermittently. The Office of Employee Benefits will work directly with the Leave Management Office to verify approved FMLA documentation and

^[1] Reach out to Leave Management in Human Resources department to apply for FMLA.

^[2] CSLB days granted in full days out of office and not on partial working days.

ensure Physician statement matches those of approved CSLB award. Intermittent CSLB awards require re-application at the beginning of every CSLB plan year (August 1 to July 31.)

The maximum number of CSLB days that *may* be granted to an employee during the CSLB plan year (August 1 through July 31) will be 45 days. If a member who has received less than 45 days from the CSLB returns to work and then is ill again with the same or different illness, he/she may re-apply to the CSLB for any additional days available, not to exceed 45 days per plan year. Each separate medical condition applied for must meet the CSLB criteria.

Approval of all CSLB days will be granted by the Office of Employee Benefits. The District will pay approved sick leave days from the CSLB in a regular payroll check based on the actual days docked that are within the maximum number of days allowed by the CSLB. If approved, the CSLB days will be paid on the next available paycheck.

Sick leave days granted from CSLB will end on the prior day a member returns to work, at exhaustion of the approved CSLB days requested, or reaching 45-day CSLB maximum per school year (August 1 to July 31). Intermittent use will require re-application at the beginning of every CSLB plan year (August 1 to July 31.)

A contributor will lose the right to utilize the benefits of the CSLB by:

- Separation of employment from the North East Independent School District or,
- Cancellation of participation by the member in writing at any time

USE OF CSLB FOR THE IMMEDIATE FAMILY

The CSLB may be used to provide additional sick leave days for eligible family members whose medical conditions meet the listed eligibility criteria within this handbook.

Immediate family shall include and be limited to the member's parent(s), stepparent, spouse, and any children. Children include:

- The employee's child under age 26.
- Children may remain covered after age 26 if they are physically or mentally handicapped and primarily dependent on the employee for support and maintenance.

Child means a natural child, a stepchild, an adopted child, a foster child, regardless of presence or absence of a child's financial dependency, residency, student status, employment status, marital status, eligibility for other coverage or any combination of those factors.

To apply for sick leave days, the member must follow the same procedures described in *Applying for CSLB Days* within this handbook. The use of sick leave days may be used for the eligible family member's medical condition. The maximum number of days that may be granted to an employee for the eligible family member's medical condition is 15 days per CSLB plan year (August 1 to July 31) and up the overall maximum of 45 day in CSLB plan year.

APPLYING FOR CSLB DAYS

A member may request days from the CSLB by submitting required forms no later than 30 work days after returning to duty. Forms include:

- A completed and signed Member's Statement.
- A completed and signed Physician's Statement (with exception for Bereavement.)
- Any applicable supporting documentation. Required supporting documentation is listed in Member's Statement.
- A notice of the death or obituary indicating relationship when used for Bereavement.

The forms are available from the Employee Benefits office or on the webpage at www.neisd.net/page/434.

If a member is critically ill and unable to file an application for sick leave days from the CSLB, the school principal, immediate supervisor, or department head may initiate the application form at the request of the member or someone in the member's family. When a member is applying for days for an eligible family member, additional documentation may be required to verify the relationship, i.e., birth certificate; baptismal record; hospital birth record.

When a member is applying for bereavement days, they must submit to the Employee Benefits office, no later than 30 workdays after returning to work,

CSLB GOVERNING COMMITTEE

The governing committee will be called the ***North East Independent School District Catastrophic Sick Leave Bank (CSLB) Board of Directors***.

Members of the CSLB who have been employed by the District for at least three consecutive years, at the time of election, may serve on the Board of Directors. Membership of the Board of Directors shall be composed of:

Voting Members - elected by the members of the CSLB

- Two representatives from elementary schools
- Two representatives from middle schools
- Two representatives from high schools
- One representative from administrative and instructional support
- One representative from School Nutrition Services
- One representative from maintenance personnel
- One representative from administration (central office or campus level)
- One representative from transportation personnel
- One representative from police, media, data processing, M.I.S, network services, document management and print services

Non-Voting Members

- Employee Benefits Technician or designee shall serve as Executive Officer.
- The Board of Directors may elect a Chairman of the Board with non-voting status. If the board desires to exercise this option, the Chairman shall be an administrative staff member assigned to the central administrative complex.

A member of the Board of Directors shall, following the first year of the Board's operation, serve for two years beginning August 1 and ending July 31. A member, if re-elected, may serve a maximum of two consecutive terms.

Terms expiring odd number years

- One elementary school representative
- One middle school representative
- One high school representative
- Maintenance representative
- Paraprofessional representative
- Police, Media, Data Processing, M.I.S, Network Services, Document Management and Print Services representative

Terms expiring even numbered years

- One elementary school representative
- One middle school representative
- One high school representative
- Administrative representative
- Transportation representative
- School Nutrition Services representative

Resident/itinerant professional personnel (counselors, librarians, teachers, nurses, special education coordinators, etc.) will be eligible as representatives per their home school assignments. Professional personnel, such as supervisors, diagnosticians, directors, principals, assistant principals, etc., will be eligible to vote and/or elected in the administrative group.

Elections will be held annually and completed by the end of the school year. Only members of the CSLB are eligible to vote. Members of each group named above may file as candidates from their group. A nomination form will be provided by electronic mail (email) and/or delivery using the PONY mail system.

Voting will be by ballot. Ballots will be distributed electronically and returned to the Employee Benefits Office. The Executive Officer or designee will calculate the ballots. The results are presented to the CSLB Board of Directors for certification.

Duties and responsibilities of the Board of Directors

At the first meeting of the year for the newly elected Board members, the Board shall select from the group a chairperson, vice chairperson, and secretary. Also at the first meeting, the Board of Directors will review the annual audit of the CSLB usage.

The CSLB Board of Directors are charged with auditing usage of the leave bank and serve as hearing officers for appeals to denied applicants by determining if applications were processed in accordance with the rules and guidelines of the CSLB.

A member may appeal the decision of the CSLB Executive Officer by writing a letter to the Executive Officer and/or requesting to appear in person before the CSLB Board of Directors.

The deadline to appeal to CSLB Executive Officer is 35 calendars after receiving a denial letter.

After an appeal to the CSLB Board of Directors, the member will be eligible to appeal through the District's grievance procedures DGBA (Local).

Vacancies on the Board of Directors that may arise during the school year will be filled by appointment by the Board of Directors. The selection will be made from the group which was represented by the member who resigned. The appointee will serve through the remainder of the original member's term if there is less than one year remaining. In the event one year or more remains, the position will be then refilled for the balance of the original unexpired term by regular election procedures during the annual balloting period.

The Employee Benefits Specialist or designee shall serve as the Executive Officer of the Board of Directors and process all approved sick leave days for members to the Payroll department.

QUESTIONS

Any questions regarding the CSLB should be directed to the Employee Benefits office.

EVALUATION AND ASSESSMENT

An annual review of the program will be made by the Employee Benefits office. Notification of the changes will be made to the membership at the beginning of each school year the changes would be effective.