

ARTICLE XV -- SICK LEAVE

Section 1. The contract provisions governing absences and leaves of personnel are patterned after state laws and regulations. Each full-time permanent employee is entitled to accumulate one day of sick leave per month of employment. Such sick leave is to be accrued in the following manner.

- A. Each full-time permanent employee shall be credited with four days of sick leave at the end of the first month of employment of each contract year and shall, thereafter, be credited for one day of sick leave for each month of employment, which shall be credited to the employee at the end of the month and which shall not be used prior to the time it is earned and credited to the employee; however, each employee shall be entitled to earn no more than one day of sick leave times the number of months of employment during the year of employment. If the employee terminates his/her employment and has not accrued the four sick days available to him/her, the School Board may withhold the average daily amount for the sick days utilized but unearned by the employee. Such sick leave shall be cumulative from year to year and there shall be no limit on the number of days of sick leave an employee may accrue.
- B. Employees who are employed on a full-time basis during the summer session shall be eligible to accrue sick leave pursuant to the above provisions.
- C. Full-time employees who are eligible to accrue sick leave may use up to six days personal leave with pay per year, provided that such days shall be charged against the employee's current sick leave accrual. This leave is non-cumulative.

Section 2. All unused accumulated sick leave days earned after July 1, 1954 will be restored to employees previously employed upon returning to employment in the school system, except for employees who have retired.

Section 3. Sick leave shall be approved in the following two categories.

A. Illness of self or illness and/or death of:

Mother	Husband	Foster children
Father	Wife	Stepparents
Sister	Child	Stepchildren
Brother	Foster parent	Grandchild
Mother-in-law	Son-in-law	Uncle
Father-in-law	Daughter-in-law	Aunt
Brother-in-law	Grandmother	Niece
Sister-in-law	Grandfather	Nephew

B. Illness and/or death of:

Persons who reside in the same residence as the person who is requesting sick leave.

Section 4. Short Term Disability Benefit

Effective January 1, 2003, M-DCPS will replace the current hardship leave benefit with a Board-paid CORE Short Term Disability Benefit. This benefit will cover all full-time unit members.

Employees whose medical confinement period begins prior to January 1, 2003 shall be eligible to apply for benefits through the current Hardship Leave Program, provided such application is submitted no later than March 31, 2003. Once eligible, said benefits shall continue for the approved period of time.

Employees whose disability occurs on or after January 1, 2003 will only be eligible to apply for the CORE Short Term Disability Benefit. Employees may use accrued sick days during the period of such disability. The Disability Benefits shall not be decreased to coordinate with the use of sick days.

Section 5. Illness-in-Line-of-Duty Leave

All employees shall be entitled to illness-in-line-of-duty leave when they are absent from their duties because of illness from any contagious or infectious disease contracted in the course of their employment. The following requirements shall be observed:

- A. Duration of leave, compensation, and procedures shall be the same as injury-in-line-of-duty.
- B. Contagious or infectious disease as heretofore described shall include childhood diseases (measles, chicken pox, diphtheria, rubella), typhoid, meningitis, tuberculosis, hepatitis, mononucleosis, ringworm, conjunctivitis, and head lice, when substantial proof is provided that such illness resulted from contact with students or other employees.

Section 6. Sick Leave Bank

The parties agree to the following rules and procedures for establishment, staffing, and operation of a SICK LEAVE BANK. Such rules and procedures may be revised by mutual consent of the parties.

RULES AND PROCEDURES FOR THE AFSCME, LOCAL 1184 SICK LEAVE BANK

The American Federation of State, County, and Municipal Employees (AFSCME), Local 1184, agrees to staff and operate a Sick Leave Bank Committee for at least the duration of the current contract. It shall be the responsibility of this committee to administer the AFSCME, Local 1184 Sick Leave Bank rules and procedures attached hereto.

The Miami-Dade County Public Schools agrees to:

- A. assist the committee in operation of the AFSCME, Local 1184 Sick Leave Bank by providing, upon request, data from participating employees' sick leave records. This data will be used to plan the initial operation of the Bank and as a basis for Sick Leave Bank withdrawals.

- B. designate an administrator to meet periodically with the Sick Leave Bank Committee and to act as liaison with the appropriate Miami-Dade County Public Schools office.

The AFSCME, Local 1184 Sick Leave Bank Committee shall:

- A. maintain adequate records relative to all functions of the Bank;
- B. meet periodically with a designated administrator of the Miami-Dade County Public Schools to review AFSCME, Local 1184 Sick Leave Bank records; and
- C. operate the AFSCME, Local 1184 Sick Leave Bank in accordance with the rules and procedures contained herein.

The Miami-Dade County Public Schools shall establish and the Union shall comply with procedures for identifying and recording contributions to the Bank and for complying with any applicable governmental regulation of sick leave or sick leave banks or associated record-keeping.

AFSCME, LOCAL 1184 SICK LEAVE RULES AND PROCEDURES

A. PURPOSE

1. In order to provide employees eligible for sick leave with an emergency pool of sick leave days for illness, accident, or injury of self above and beyond those available under "Sick Leave With Pay" provisions, the Board and Union hereby establish the AFSCME, Local 1184 Sick Leave Bank.
2. The AFSCME, Local 1184 Sick Leave Bank shall function under rules and procedures administered by the Union.
3. Any alleged abuse or misuse of the Sick Leave Bank shall be investigated by either or both parties. If the investigation results in a finding of wrongdoing, the employee, M-DCPS, and the Union shall be notified and the employee shall repay all sick leave days drawn from the pool and shall be subject to such disciplinary action as deemed appropriate by the Board.

B. INITIAL MEMBERSHIP REQUIREMENTS

Only unit members who are full-time permanent employees, who have been employed full-time for at least one year, and who have a sick leave balance of five days or more at the time of enrollment may enroll in the AFSCME, Local 1184 Sick Leave Bank by contributing one day to the Sick Leave Bank.

C. WITHDRAWAL PROCEDURES

Participating members who meet the following criteria may apply for withdrawal of days from the AFSCME, Local 1184 Sick Leave Bank:

1. Exhaustion of all personal sick leave days.

2. All applications are subject to final approval by the AFSCME, Local 1184 Sick Leave Bank Committee.

The maximum number of Sick Leave Bank days that may be approved for any participating member is 30 days per 12-month period.

D. MAINTENANCE OF THE AFSCME, LOCAL 1184 SICK LEAVE BANK

The AFSCME, Local 1184 Sick Leave Bank will be activated when a minimum of 500 days have been deposited. No further contribution shall be required of participating members, unless the AFSCME, Local 1184 Sick Leave Bank is depleted to a point where 250 days remain. In such case, all members of the Sick Leave Bank, except those members receiving extra sick leave for hardship or dire emergency, shall contribute one day each time the bank is depleted.

E. DURATION OF AGREEMENT

The AFSCME, Local 1184 Sick Leave Bank shall be in existence for the duration of the contract and may be renewed in succeeding contracts. In the event a member wishes to terminate AFSCME, Local 1184 Sick Leave Bank membership, all obligations and privileges of membership shall cease 90 days from the date of receipt of written notification by the AFSCME, Local 1184 Sick Leave Bank Committee. The deposit of sick leave days shall remain in the AFSCME, Local 1184 Sick Leave Bank.

F. GRANTING OF SICK LEAVE FROM THE BANK

In the event of non-renewability of the AFSCME, Local 1184 Sick Leave Bank in succeeding contracts, Bank deposits will be returned to contributing members, where appropriate.

Return of days will be accomplished equally to those members who have not utilized AFSCME, Local 1184 Sick Leave Bank withdrawals.

AFSCME, LOCAL 1184 SICK LEAVE BANK PROCEDURES

A. INITIAL ENROLLMENT

1. The enrollee will sign and forward an AFSCME, Local 1184 Sick Leave Bank Program Card, developed jointly by AFSCME, Local 1184 and the M-DCPS Payroll Section, to AFSCME, Local 1184 for necessary processing. This card will be the same size as the present Application for Leave Card and will contain authority for the initial deduction of one day of sick leave upon enrollment in the program. Additionally, the card will authorize AFSCME, Local 1184 to deduct an additional day of sick leave from the employee, if the Sick Leave Bank has been depleted.
2. Upon completion of internal processing by AFSCME, Local 1184, the card and a transmittal listing will be forwarded to the Payroll Section. Cards will be forwarded in work location sequence by employee number. The Payroll

Section will deduct one day of sick leave from the employee's leave balance on the Payroll Data Card, date it, and enter the notation "AFSCME, Local 1184" on the card. Deduction cards will be filed with and in the same manner as the Application for Leave Cards. Cards will be filed in the pay period which encompasses the date that the posting was made to the employee Leave Data Card.

3. For those employees who do not have the required leave balance for the deduction, the authorization card will be returned to AFSCME, Local 1184 with the notation "NO LEAVE BALANCE."

B. SUBSEQUENT DEDUCTIONS AFTER INITIAL ENROLLMENT

1. Subsequent deductions, as described in D. above, shall be accomplished by utilizing the Sick Leave Bank Program Card, which will be checked in the box titled "Subsequent Deduction." This card need not be signed by the employee and immediate supervisor since the initial card authorized subsequent deductions. This card will be signed and dated by an authorized member of the AFSCME, Local 1184 Sick Leave Bank Committee. The cards will then be forwarded to the Payroll Section.
2. Upon receipt of the cards and transmittal listing by the Payroll Section, the individual Payroll Data Cards will be posted and filed, per paragraph A.2. above. The AFSCME, Local 1184 Sick Leave Bank Committee will notify affected employees when subsequent deductions are made from participants. Insufficient leave balance to permit deductions will be returned to the AFSCME, Local 1184 Sick Leave Bank Committee, per paragraph A.2. above. The Sick Leave Bank Committee shall, on an individual basis, notify employees with an insufficient leave balance that they are no longer enrolled in the Sick Leave Bank and advise them of subsequent enrollment procedures.

C. GRANTING OF SICK LEAVE

When employees eligible for sick leave are granted sick leave from the AFSCME, Local 1184 Sick Leave Bank, the AFSCME, Local 1184 Sick Leave Bank Committee will utilize the "Sick Leave Bank Program" card to notify the Payroll Section. The sick leave days granted by the committee shall be posted to the Payroll Data Card and filed, per paragraph A.2. above. The committee will notify members who have been granted sick leave from the Bank.

The committee will notify the M-DCPS Payroll Section which member(s) of the committee is (are) authorized to grant the leave. The leave cards will be forwarded to the Payroll Section with a letter of transmittal.

Section 7. Good Attendance Incentive

- A. To encourage and reward personnel who exercise particular care in the maintenance of their personal health and job attendance, the Board provides a good attendance incentive. All full-time permanent employees in the bargaining unit who

accrue sick leave may cash in sick leave days accrued each year, provided the following criteria are met:

1. The employee must use no more than a total of three sick/personal leave days during the course of the fiscal year (July 1 - June 30).
2. The employee must have a minimum of 21 accrued sick leave days after cash-in of sick leave days accrued on an annual basis. Compensation for annual accrued sick leave cashed in, pursuant to the above provisions, shall be as follows:
 - a) The employee's daily rate of pay during the fiscal year in which the days were accrued times 80 percent.
 - b) Payment for this benefit will be made during the month of July. Days for which such payment is received shall be deducted from the employee's accumulated leave balance.