HUMAN RESOURCES

Sick Leave Bank

I. Membership in the Sick Leave Bank

A. Employees who are participants in the Virginia Retirement System (VRS) Plan 1 or Plan 2, and part-time employees who work more than twenty (20) hours a week are automatically enrolled in the Sick Leave Bank.

B. Full-time employees covered by the VRS Hybrid Plan are not eligible for Sick Leave Bank benefits, but are automatically enrolled in an employer sponsored short-term disability and long-term disability plan.

C. Employees hired prior to July 1, 2016, who work less than twenty (20) hours a week, may remain and continue to participate in the Sick Leave Bank. However, employees who begin a part-time position of less than twenty (20) hours, on or after July 1, 2016, will not be eligible to participate in the Sick Leave Bank.

II. Utilizing the Sick Leave Bank

A. Use of days from the Sick Leave Bank is restricted to the member’s own personal illness or disability.

B. The first twenty (20) working days of an illness or disability are not covered by the Sick Leave Bank. These days must be covered by the employee’s own accumulated leave(s) or taken as leave without pay.

C. Eligible employees have:

1. Been enrolled in the Sick Leave Bank for at least twelve (12) consecutive months;
2. Had no more than 30 working days of leave without pay in the last twelve 12 months, leading up to use of the Sick Leave Bank; and
3. Depleted all accumulated sick leave, personal leave, and annual leave prior to utilizing days from the Sick Leave Bank.

D. A member who is receiving or eligible to receive worker’s compensation benefits per the provisions of Regulation 532-1, “Workers’ Compensation and Injury Leave Benefits,” shall not be permitted to draw from the Sick Leave Bank.
E. Requests to use days from the Sick Leave Bank require a physician’s certification and approval by the Director of Benefits and Retirement Services or designee. The physician’s certification shall identify the nature of the illness or disability, the date the illness or disability commenced, and the projected return-to-work date. After twenty (20) paid Sick Leave Bank days have been drawn, a follow-up physician’s certification of continued disability shall be submitted to the Director of Benefits and Retirement Services or designee to continue utilizing days from the Sick Leave Bank. Failure to submit certification will result in termination of the member’s use of the Sick Leave Bank.

F. A maximum of forty-five (45) work days within a 12-month period may be drawn from the Sick Leave Bank by a member for any one illness or disability. A recurrence or relapse of the same illness or disability shall be included in the 45-day annual maximum. Sick Leave Bank payments received on any closed days (i.e., Code Red, Code Green, or any other closure) count towards the 45-day maximum.

G. Per Regulation 544-2, “Family Medical Leave” will run concurrently with the Sick Leave Bank.

H. Employees do not accrue additional sick, personal, or annual leave while accessing the Sick Leave Bank.

III. Management of the Sick Leave Bank:

The Office of Benefits and Retirement Services shall manage the Sick Leave Bank program. Records and reports shall be maintained, including the usage of Sick Leave Bank days by member, and physician certification documents.

The Associate Superintendent for Human Resources (or designee) is responsible for implementing and monitoring this regulation.

The Associate Superintendent for Human Resources (or designee) is responsible for reviewing this regulation in 2019.