

Sick Leave Bank Policy - Updated Version

Sick Leave Bank Policy

Virtus Academy of South Carolina

A. Purpose & Legal Basis

In accordance with South Carolina Code § 59-25-47 and Virtus Academy's leave policies, the Sick Leave Bank provides additional paid leave to full-time employees who after exhausting all their own accumulated leave experience extended absences due to the catastrophic illness or injury of the employee or his/her immediate family that do not trigger long-term disability provisions or other paid leave benefits.

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This policy operates in compliance with applicable federal laws, including the Family and Medical Leave Act (FMLA) and the Americans with Disabilities Act (ADA).

B. Participation & Contributions

1. Eligibility: Full-time employees with at least 12 months of continuous service.
2. Membership: Voluntary; employees must complete a Sick Leave Bank Membership Form.
3. Waiting Period: Employees must be members for at least 90 days before requesting leave from the bank.
4. Contributions:
 - Eligible employees may contribute one (1) accrued PTO day upon accrual of (10) accrued PTO days and may contribute up to two (2) PTO days upon accrual of twenty (20) PTO days, Eligible employees may contribute up to 50% accrued PTO days upon accruing 30-days or more PTO days.
 - Maximum contribution: 30 days per fiscal year.
 - Days must be contributed in whole-day increments (1 day = employee's standard workday).
 - Contributions are final and non-refundable, including upon separation from employment.
5. Timing: Contributions can be made by eligible employees during the annual open enrollment period or mid-year once the employee meets or exceeds the 10-day PTO accrual minimum.
6. Open Enrollment Period: August 15- September 15 of each school year.

7. Mid-year enrollment period for contribution: January 1- 31 of each school year.

C. Eligibility to Use the Bank

To qualify for leave from the Sick Leave Bank, employees must:

- Be an active, full-time employee and a current member for at least 90 days.
- Have exhausted all accrued personal sick, annual, and compensatory leave.
- Leave days from the Sick Leave Bank will not be granted until after the tenth day of absence due to the qualifying illness or injury. There will be no reimbursement for the first 10 days.
- Provide medical certification from a licensed healthcare provider for:
 - a. The employee's own serious illness or injury, or
 - b. A qualifying medical condition for an immediate family member, if allowed by policy.
- Submit a written return-to-work plan.
- Members who have been approved for worker's compensation due to a job-related injury will not be eligible to receive Sick Leave Bank days during worker's compensation coverage.

D. Covered and Not Covered Conditions

Covered: Serious illness or injury that requires extended absence such as hospitalization, major surgery recovery, cancer treatment, or other conditions meeting FMLA/ADA definitions.

- Not Covered:
- Routine elective surgery or other medical procedure or injury without material complication; routine maternity or paternity leave without material complications; short-term illnesses; transitory injuries; or conditions that do not meet the "serious illness/injury" definition rising to the catastrophic threshold.

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E. Review & Approval Process

1. Committee: A Sick Leave Bank Committee of 3–5 members will review requests within ten (10) business days of receiving complete documentation.
2. Decision Limits:
 - a. No more than 25% of the total bank balance may be granted to a single request.

b. The maximum number of days which an eligible employee may withdraw from the Sick Leave Bank within a school fiscal year is forty (40).

3. Appeals: One appeal allowed within five (5) business days of denial to the Chief Executive Officer. The Chief Executive Officer's decision is final.

4. Disability Benefits: Should a member of the Sick Leave Bank be approved for any type of disability benefits during the time they are receiving sick leave days from the Sick Leave Bank, they must notify the Sick Leave Bank in writing within three business days of their notification of approval for disability. Termination from the Sick Leave Bank will begin immediately upon receipt of that notice.

4. Confidentiality: All medical and personal information remains confidential.

F. Bank Management & Low-Balance Trigger

1. Unused days carry over to the next fiscal year.

2. If the bank balance falls below 25% of the total contributed days of all members, an additional 1-day contribution from all members will be required.

3. HR will provide an annual usage and balance report to school leadership.

G. Committee Rules

- Membership: At least three (3) members with a minimum of one HR/administration representative and one instructional staff member.

- Conflict of Interest: Members must recuse themselves from reviewing requests involving relatives, direct reports, or close personal friends.

- Decision-Making: Majority vote required for all approvals/denials.

- Vacancies: Filled by administration within 15 business days.

H. Request Form Requirements

- Membership and leave status.

- Medical documentation attached.

- Requested dates and total days.

- Employee acknowledgment confirming truthfulness, with notice that falsifying information may lead to disciplinary action up to and including termination.

- HR section to record approval, days granted, and committee vote.

I. Handbook Summary (Employee-Friendly)

The Sick Leave Bank is a voluntary program that allows members to donate unused PTO over the 10-day minimum to help coworkers facing serious medical situations.

Members who have been in the bank at least 90 days and have exhausted all their own PTO can apply for days from the bank. A doctor's note with accompanying documentation and return-to-work plan are required.

No one may receive more than 25% of the bank's total balance for a single request.

If the bank runs low, members may be asked to contribute an extra day.

Approved 02/24/2026

Signed by:
Dr. MacNeill Sprauve
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