



Frederick County Teachers Association

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Rules and Procedures of the FCTA/FCPS Sick Leave Bank 2026-2027

Statement of Intent

The purpose of the Sick Leave Bank is to provide sick leave to contributors to the bank after their accumulated sick leave has been exhausted with the goal of returning the member to active status. Such leave from the bank is issued in cases of prolonged, catastrophic, or incapacitating personal illness, injury, or quarantine of the member during the regularly scheduled duty day.

Rules

1. After receiving a bank grant, members may be asked to submit documentation verifying care given from the health provider during the dates issued by the Sick Leave Bank.
2. To be eligible to receive sick leave bank benefits, the illness, injury, or quarantine, must extend for at least ten (10) consecutive duty days (including any days on which the member utilized his/her accumulated sick leave).
3. When an individual is receiving regular ongoing, intermittent medical treatments for a catastrophic condition, the Sick Leave Bank Committee may approve the request. The intermittent medical treatments must also be documented.
4. While some conditions may qualify for Family Medical Leave Act/Personal Disability Leave or other approved leave, the condition may not meet the criteria for Sick Leave Bank coverage.
5. The bank may NOT be used for illnesses of other members of the contributor's family.
6. The bank may NOT be used by the contributor to remain absent from work in order to assist a family member who is ill.
7. Only earned sick leave may be contributed to the bank. Annual and personal leave may NOT be contributed.
8. For the purpose of the administration of the Sick Leave Bank, the definition of sick leave will be:

Sick leave is a designated amount of compensated leave that is to be granted to a unit member who through prolonged, catastrophic, incapacitating personal illness,



injury, or quarantine is unable to perform the duties of the position. Sick leave may not be granted for the period of disability when monies are paid to the unit member under the Worker's Compensation Law as applied in *the Negotiated Agreement*. In order to keep unit members whole, the Sick Leave Bank Approval Committee may grant leave to unit members who are receiving less than 100% of their salary through Workers Compensation. At no point will a unit member be entitled to any amount greater than their normal salary.

9. Members receiving hours from the Sick Leave Bank may not receive compensation from another employer. The Sick Leave Bank reserves the right to review specific circumstances, such as quarantine, on a case-by-case basis. Exceptions may be given for work appropriate to the capacity of the member.
10. Effective July 1, 2025, all new employees are automatically enrolled in the Sick Leave Bank and make an initial contribution of one (1) day. A new hire wishing to cancel their membership must submit an opt-out form within thirty (30) days of their hire to the Sick Leave Bank, which in turn will notify Human Resources to disenroll the staff member. Teachers hired before July 1, 2025, or who previously opted out of automatic enrollment may join the SLB between July 1 and September 1. Members returning from extended leave will be permitted to contribute to the SLB within thirty (30) days of return to work. Teachers hired after September 1 will be permitted to opt out of the SLB within thirty (30) days after employment begins. Members who fail to enroll during the enrollment period are not eligible to enroll until the next regularly scheduled enrollment period.
11. Any person who is a member of the FCTA bargaining unit will be eligible to participate in the bank. However, non-members of FCTA must pay a \$200 Administrative Fee to FCTA per Sick Leave Bank request (**Article XXV J Negotiated Agreement**)
12. In order to draw days from the Sick Leave Bank, a unit member must contribute to the bank at the rate as determined by the bank except in those years where sufficient days remain in the bank to support the bank adequately, as determined by the FCTA.
13. A contributor will lose the right to utilize the benefits of the Sick Leave Bank only by:
 - a. Termination or suspension of employment in FCPS.
 - b. Cancellation of participation which is effective only at the close of a fiscal year, June 30 of each year.
 - c. Refusal to continue regular contributions at the beginning of each fiscal year, July 1, if required by the administering committee.
 - d. Refusal to make such additional contributions as may be required from time to time by the administering committee to prevent bankruptcy of the bank.
 - e. Refusal to provide requested information to the administering committee.



14. The existence of the Sick Leave Bank and participation by a unit member in the bank does not negate or eliminate any other sick leave policies of the FCPS, nor does it in any way negate the rights of individual unit members who participate in the bank to other sick leave benefits included in the FCTA/Board of Education contract.

Membership in the bank will remain in force and continue from year to year, with a deduction made automatically, as required, unless membership is canceled in writing by the member between July 1 through September 15, and sent to:

FCTA
57 Thomas Johnson Drive
Suite 200
Frederick, Maryland 21701

15. Requests for days involving Cosmetic Surgery will not be granted. Requests for days involving Elective Surgery, such as but not limited to: joint replacements, arthroscopic/orthopedic procedures, abdominal/hernia surgeries, eye surgery (LASIK, cataracts), Carpal tunnel surgery, etc. will not be granted. Surgeries that are normally considered Elective may be covered but require documentation from the doctor stating that the procedure is medically necessary and cannot be deferred.

16. Disability Retirement

When the Sick Leave Bank Approval Committee reasonably believes that an applicant for a grant or an extension of a grant may be eligible for disability retirement benefits from the Maryland State Retirement and Pension Systems and/or Social Security, the Approval Committee will require the employee to apply for disability benefits. If disability retirement is approved, the member must pursue the earliest possible retirement date or sick leave benefits will not be continued beyond the earliest eligible date of retirement. If the Board of Trustees of the Maryland State Retirement and Pension System determines the employee is not disabled and is therefore able to return to his/her regular duties, the member is no longer eligible for a Sick Leave Bank grant. Submission of the application for disability retirement and the necessary supporting medical documents to the FCPS Department of Human Resources must be made within 20 calendar days from the date of the issuance of the request by the Approval Committee in order for the member to continue to be eligible for Sick Leave Bank grant.

The Approval Committee, at its discretion, may grant a member up to 45 days of leave beyond their lifetime maximums while waiting for a decision by the MSRAPS.

No payment for a Sick Leave Bank grant will extend beyond the date on which disability



retirement is approved to begin by the Board of Trustees of the Maryland State Retirement and Pension Systems or the Social Security Administration. Any remaining days will be returned to the Sick Leave Bank.

When disability retirement is denied by the Retirement Systems, the Sick Leave Bank Approval Committee and the Frederick County Board of Education must be notified immediately by the member. A Sick Leave Bank recipient may lose his/her eligibility for a grant for each day the Sick Leave Bank Approval Committee is not notified after the Sick Leave Bank member has received his/her denial.

Procedures

1. Initial contributions to the bank must be made on an FCTA Sick Leave Donation Form if you were not automatically enrolled at your time of hire as of July 1, 2025, or thereafter. Enrollment forms are on the FCTA website: myfcta.org
2. The FCTA Sick Leave Bank administration committee will approve all donations before they are forwarded to the FCPS Department of Human Resources Payroll Office.
3. The Committee will review and recommend to the FCPS Department of Human Resources approval or denial of all requests to draw from the Sick Leave Bank at the next scheduled meeting of the Sick Leave Bank. Committee meetings are aligned with the FCPS Payroll schedule.
4. Any person submitting a request to draw on the bank must have made the proper contribution for the fiscal year in which the request is made.
5. All requests to draw upon the bank must be made upon an FCTA Sick Leave Bank Request form. A member has thirty (30) calendar days to apply for use of the Bank, which will be counted from the first day the member will lose pay due to lack of sick leave. The committee will count back thirty (30) calendar days from the date the request is received at the FCTA office and rule ineligible any day(s) requested prior to that.
6. All requests to draw upon the Sick Leave Bank must be accompanied by a physician's statement confirming the cause of the illness or confinement, diagnosis, treatment plan, and expected return to work date on an FCTA Sick Leave Bank Physician's Confirmation Form, signed by the physician. **FMLA FORMS WILL NOT BE ACCEPTED IN LIEU OF A COMPLETED SLB REQUEST FORM.**

A member who wishes to draw from the bank for mental illness/psychiatric disability must be under the care of a registered psychologist, psychiatrist, or LCSW-C. The request for days from the Sick Leave Bank must include a specific diagnosis, a treatment plan, and an



expected return to work date.

7. In cases of childbirth, the actual delivery date and type of delivery must be noted on this form to be processed. Such requests should not be submitted until after the delivery.

It is the member's responsibility to ensure that all parts of the FCTA Sick Leave Bank Request Form are completed, and any other necessary documents are received at the FCTA office. Forms may be delivered to the FCTA office by hand, Mail, Courier, or faxed to (301)-662-9205. Forms may be emailed, in .PDF Only, to FCTASLB@mseane.org. **No other submissions will be accepted.**

8. Non-members must pay an Administrative Fee of \$200 for each sick leave bank request to FCTA before any request is considered. (Article XXV J Negotiated Agreement 2025-2028).
9. An applicant, at any time, may be required to undergo a medical review by a physician of the committee's choice at the applicant's expense.
10. In the event that an applicant is incapacitated, application may be made by a family member or other agent on behalf of said applicant.
11. Leave grants from the bank will normally be made in units of no more than sixty (60) consecutive workdays for the individual applicant. Leave grants can exceed this amount if the committee concludes that there are exceptional circumstances. The total days granted cannot exceed the lifetime maximum.
12. If an applicant desires an extension of a leave grant, said applicant must submit a request for the extension before the expiration of the prior grant. Applications for an extension of leave in addition to the original grant will be made on a new application form that conforms to procedural rules.
13. In cases where the committee recommends denial of an application for use of the Sick Leave Bank or an extension of such use, the applicant may appeal the request to the FCTA Board of Directors through the President within thirty (30) days of the denial.
14. In cases where the recommendation of the Committee is denied by the FCPS Department of Human Resources, the applicant may appeal the request to the FCTA Board of Directors, which may elect to pursue appropriate remedies under the Negotiated Agreement.
15. Copies of all FCTA Sick Leave Bank Donation, FCTA Sick Leave Bank Requests, and FCTA Sick Leave Bank Cancellation forms shall be marked for recommendation for approval or



denial by the Sick Leave Bank Approval Committee. Following such an action, the committee shall disperse copies of the forms to the designated person as needed (i.e., the unit member, FCPS Dept. of Human Resources, FCPS Payroll Dept.).

16. The FCTA will maintain the records of all applications for donation, applications for withdrawal of sick leave days, and all cancellations.
17. The FCPS Department of Human Resources will maintain records of all unit member contributions, withdrawals, and the status of the bank on a daily basis.
18. All forms for application for participation in the bank, withdrawal of sick leave days and cancellation will be available at the FCTA office and will be sent to any unit member upon request.
19. The FCPS Department of Human Resources will report on the status of the FCTA Sick Leave Bank at any time at the request of the administering committee.
20. The FCPS Department of Human Resources and the FCTA will provide information to the committee upon its request on any data it has maintained in its files regarding an individual unit member's use of, or investment in, the FCTA Sick Leave Bank.
21. The Sick Leave Bank Administration Committee will be responsible to the FCPS and the FCTA for the proper administration of the Sick Leave Bank, maintenance of sick leave days in the bank, the promotion of enrollment in or donation to the bank, and the submission to the FCTA and the FCPS Department of Human Services of periodic reports on the status of the Bank. The Sick Leave Bank Approval Committee must recommend proposed changes to these rules and procedures to the FCTA Board of Directors. If approved by the FCTA Board of Directors, the proposed changes shall be forwarded to the Superintendent for his/her approval. The approved changes will then be published for all Sick Leave Bank members.
22. The FCTA, upon receipt of a request for days, will immediately forward to the Department of Human Resources a copy of said request. The Department of Human Resources will within five (5) days inform the committee in writing of any concerns or information that may have a bearing on the committee's decision.
23. For members who joined the Bank prior to 2015-2016 school year, the maximum number of sick days that can be granted in connection with any single occurrence of an illness or complications arising from such an occurrence will be **one work year** based on the employees work year (i.e., 10-month, 11-month, and 12-month).

As of the school year 2015-16, any new Sick Leave Bank member will enter a tiered



distribution system from the Sick Leave Bank such that:

- First year of membership the member would be eligible to draw 90 days from the Bank.
- Second year of membership the member would be eligible to draw days not to exceed 135 days.
- Third year of membership the member would be eligible to draw days not to exceed the lifetime balance of 270 days.

24. If in any single school year, a member who is eligible to receive annual leave, has been granted thirty (30) days from the Bank, all unused annual leave must be exhausted prior to any additional sick leave being granted by the committee.

25. Lifetime Maximum

Grants for members who entered the Bank prior to 2015-2016 shall be subject to a lifetime maximum to not exceed the equivalent of two work years based on the employee's work year (i.e., 10-month, 11-month, and 12-month. This shall include the accumulation of all days granted by the Sick Leave Bank. Members who join the bank after 2015-16 will be subject to a lifetime maximum of 270 days.

26. A completed original form must be submitted to the committee at least five (5) workdays prior to their regularly scheduled meeting.

27. Members who are eligible to receive the ten-day additional leave grant provided in Article XXIV B of this Agreement shall have the grant automatically applied when requesting to utilize the bank, and such notification will be provided by the SLB Committee to the member. These days must also be exhausted prior to the Sick Leave Bank granting days.