

# BALTIMORE COUNTY PUBLIC SCHOOLS

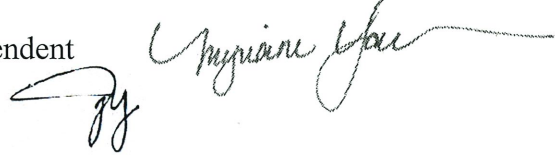
Dr. Myriam Yarbrough ♦ Superintendent ♦ 6901 North Charles Street ♦ Towson, MD ♦ 21204

TO: ESPBC Represented Employees

FROM: Myriam Yarbrough, Ed.D., Superintendent  
Jeannette Young, ESPBC President

DATE: August 4, 2023

RE: ESPBC Sick Leave Bank (ESLB)



Effective July 1, 2022, ESPBC separated from the Unified Sick Leave Bank (USLB) and established the ESPBC Sick Leave Bank (ESLB). ESPBC represented employees who participated in the USLB were automatically enrolled in the ESLB.

Ten-month ESPBC represented employees who have not joined the ESLB will automatically be enrolled in the ESLB when they accumulate a minimum of twenty (20) sick days by September 1. Twelve-month ESPBC represented employees who have not joined the ESLB will automatically be enrolled when they accumulate a minimum of (twenty-four) 24 sick days by July 1. Additional details relating to the operation of the ESLB are included in the ESLB Rules, ESLB Procedures, and Article 8.16 of the [BCPS/ESPBC Master Agreement](#).

Members will not see any changes in the procedures associated with filing claim forms and withdrawing from ESLB. All questions and communications should be directed to the ESPBC office at 410-828-6403 or email [eslb@mseanea.org](mailto:eslb@mseanea.org).

The ESLB Governing Committee reviews all claim forms. Meetings to review the applications are scheduled for the Tuesday prior to the ESPBC pay day. Applications need to be submitted no later than the Friday prior to the meeting to [eslb@mseanea.org](mailto:eslb@mseanea.org).

Each year the ESLB Governing Committee will share the assessment for the year. For the 2023-2024 school year, all members of the ESLB will be assessed one (1) day. All ESLB members will be assessed between August 1 - September 30, 2023.

An employee who is eligible for membership in the ESLB may opt out for any reason, by completing the opt-out form by contacting the ESPBC office. The ESPBC office will share ESLB membership status with the Office of Payroll.

## ESPBC/BCPS Master Agreement Excerpt

### 8.16 ESPBC Sick Leave Bank (ESLB)

**PURPOSE.** The purpose of the sick leave bank is to provide sick leave to contributors to the bank after the member's accumulative sick leave has been exhausted. The existence of the bank and participation by an employee in the bank does not negate or eliminate the rights of individual employees participating in the bank to other sick leave benefits as specified by this agreement.

**DEFINITION.** The definition of sick leave covered by the ESPBC sick leave bank (ESLB) shall be that leave that is granted to a member who through catastrophic personal illness, injury, or quarantine is unable to perform the duties of his or her position. Sick leave from the bank may also include other excused absences, such as medical, dental, or optical examinations or treatments that are impossible to schedule on non-duty days when they are required as a result of a qualifying illness or injury.

**ESLB Governing Committee.** The association will appoint an ESLB Governing Committee from its membership. The committee shall meet as needed and shall have the responsibility of receiving requests, verifying the validity of requests, approving, or denying requests, and communicating its decision to the member and the Office of Employee Absence and Risk Management.

The ESLB Governing Committee shall have reasonable discretion in requiring a doctor's certification of disability and in establishing special limits or provisions for certain disabilities. The committee shall develop its rules of procedure and general criteria for approval of requests. Upon approval of the rules and criteria by the association and the superintendent, the Board shall distribute them to all new and current employees.

The Governing Committee shall grant requests and submit the appropriate documentation to the Office of Employee Absence and Risk Management and the Office of Payroll for processing. The Office of Employee Absence and Risk Management shall confirm sick leave grants as being within the limits of the ESLB bank balance; that the illness is covered under this agreement; and that the employee's personal sick leave is exhausted. Requests meeting the above criteria will be forwarded to the Office of Payroll as authorize for payment.

**APPEALS.** Appeals of decisions of the ESLB Governing Committee may be made in writing to the ESPBC Board of Directors within ten (10) duty days of the denial notification date. Pending the outcome of the appeal, the employee will continue to be paid from the sick leave bank.

**ESLB ELIGIBILITY.** All ESPBC bargaining unit-represented employees will be automatically enrolled in the ESLB upon meeting the following eligibility criteria:

**TEN (10) MONTH EMPLOYEES** who have completed one year of continuous service and who have accumulated twenty (20) days of sick leave will be automatically enrolled in the ESLB.

**TWELVE (12) MONTH EMPLOYEES** who have completed one year of continuous service and who have accumulated twenty-four (24) days of sick leave will be automatically enrolled in the ESLB.

A contributor only will lose the right to utilize the benefits of the ESLB as a result of termination or suspension of employment with BCPS, while on an approved leave of absence, upon transfer to a position classified within another BCPS bargaining unit, or at any time upon the employee's submission of written notification cancelling participation in the ESLB.

A new ESPBC employee who was a BCPS employee in another bargaining unit in Baltimore County and who was a member of a sick leave bank in the other unit at the time of moving into an ESPBC position shall be eligible to immediately join the ESLB only if the criteria described in this agreement are met. The employee's usage balance will be transferred from the previous bargaining unit.

**ESLB USAGE.** ESLB contributors must use all accumulated sick leave before applying for leave from the bank. The total time a person may draw on the sick leave bank is one (1) year including duty days, holidays, and CNDWD or vacation days but does not include the other days the educator does not normally work.

Sick leave from the ESLB may be used only by the individual contributor for his or her personal illness or injury. The ESLB may not be used to be absent from work to care for members of the employee's family.

The ESLB may not be used by an employee who is eligible for disability retirement to postpone that retirement. In no case will the granting of leave from the bank cause an employee to receive more than his/her regular annual salary. An individual eligible for disability retirement may not use the provision of the sick leave bank to postpone that retirement.

The maximum number of sick days that can be granted in one (1) fiscal year will be the remaining number of duty days a member is scheduled to work plus included holidays and CNDWD or vacation days they would normally accrue during this period. In no case will the granting of leave from the bank cause a member to receive more than his or her annual salary.

The number of accumulated sick leave days available to a member at any time for any purpose, will not include the number of days which the educator has contributed to the bank. All unused sick leave days in the bank at the end of a fiscal year shall be carried over to the next fiscal year.

**ESLB CONTRIBUTIONS.** All regular employees represented by ESPBC in the Baltimore County Public Schools for which the association is the exclusive agent are eligible to contribute to the ESLB.

Contributions can be made between July 1 and September 30 of any given year. ESPBC represented employees returning from leave will be permitted to contribute to the bank on approval of the ESLB Governing Committee. Employees who are laid off, may contribute within the first

thirty (30) days after the effective day of reassignment.

Employees meeting the eligibility requirements will be assessed a contribution when enrolled. The initial assessment and subsequent employee contributions will be based upon the needs of the ESLB as determined by its ESLB Governing Committee.

All contributions will remain in force and cannot be returned even upon cancellation of membership in the ESLB.

All unused sick leave days in the bank at the end of a fiscal year shall be carried over to the next fiscal year.

Should the provisions of the sick leave bank be terminated, the bank balance shall be returned to the then current members of the bank proportional to the rates established in this article, excluding those individuals who have utilized the bank in the previous three (3) years.

**OPTING OUT OF THE ESLB** - An employee who is eligible for membership in the ESLB may 'opt out' if withdrawals have not been made from the ESLB. To opt out, the employee must notify the ESLB in writing of their desire to withdraw from the ESLB. Employees who opt out of the ESLB will remain eligible for membership and may request to be re-enrolled by making a written request to the ESLB. Employees who have opted out and request to be re-enrolled must meet the eligibility requirements. Employees who opt out in the fiscal year the initial assessment is made will have that sick leave time returned to them.

Enclosures:   ESPBC/BCPS Master Agreement Article 8.16 (effective 7/1/2023)  
                  ESLB Procedures (7/31/2022)  
                  ESLB Rules (7/31/2022)