

**RESOLUTION REGARDING SICK, PERSONAL AND VACATION DAY BENEFITS
FOR DISTRICT EMPLOYEES NOT COVERED BY COLLECTIVE BARGAINING AGREEMENTS**

WHEREAS, the Board adopted a Policy on Employees' Sick, Personal and Vacation Benefit Days on December 19, 2007, Board Report Number 07-1219-PO2 (the "2007 Policy");

WHEREAS, the 2007 Policy applies to all eligible District employees as defined in the Policy whether or not such employees are covered by a collective bargaining agreement;

WHEREAS, the Board intends to initiate a full review and evaluation of its policies on employees' sick, personal and vacation benefit days for employees not covered by a collective bargaining agreement for financial responsibility and sustainability and shall establish a new policy or policies following this evaluation;

WHEREAS, until a new policy is established, the Board intends to institute changes to the 2007 Policy through this Resolution to modify the terms of future accruals of sick, personal and vacation benefit days for current and new employees who are not covered by a collective bargaining agreement;

WHEREAS, the Board intends to move from a traditional sick day accrual policy to a Short Term Disability Plan that will more effectively address the needs of Chicago Public Schools employees and provide coverage regardless of their length of service or the number of sick days they have accrued;

WHEREAS, the Board does not intend to renew the Pension Enhancement Program specified in the 2007 Policy for principals, assistant principals and non-union represented employees, and therefore the Pension Enhancement Program will not be available to such employees who retire after June 30, 2012; and

WHEREAS, until the Board adopts a new sick, personal and vacation benefit day policy for employees not covered by a collective bargaining agreement, the modifications to the 2007 Policy as specified in this Resolution shall be in effect and implemented.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD, as follows:

1. Employees Covered by Collective Bargaining Agreements: The 2007 Policy shall continue in full force and effect for employees covered by a collective bargaining agreement until July 1, 2012 at which time the 2007 Policy shall be superseded by the terms of applicable successor collective bargaining agreements. If, however, no new collective bargaining agreement(s) have been reached on or before June 30, 2012, the terms of the 2007 Policy as it existed on February 22, 2012 shall continue in full force and effect for employees covered by any such collective bargaining agreement until a successor agreement is reached or until the Board may otherwise lawfully implement a substitute policy, at which time the terms of the new collective bargaining agreement or substitute policy will apply.
2. Applicability of Modifications to the 2007 Policy: The provisions of this Resolution which modify the 2007 Policy shall apply only to employees who are not covered by collective bargaining agreements.
3. New Employee Ordinary Sick Leave Bank: The provisions in the 2007 Policy regarding payout of accumulated unused sick leave shall not apply to full-time, non-temporary employees hired after February 22, 2012. For the period from February 23, 2012 through June 30, 2012, sick days will be granted to new employees at a rate of one day per month worked and the 60-day waiting period shall not be applied. Any sick days granted but not used by June 30, 2012 shall be forfeited. Effective July 1, 2012, sick days will be granted at the beginning of each fiscal year at a rate of one day per month worked and maintained in an Ordinary Sick Leave Bank. For new employees hired after the start of the fiscal year, a prorated number of sick days will be granted and maintained in an Ordinary

Sick Leave Bank. Sick days that employees do not use on or before June 30th of the fiscal year in which the sick days were granted shall be removed from the Ordinary Sick Leave bank and forfeited. Any sick days in an Ordinary Sick Leave Bank that an employee does not use on or before the date their employment ends shall be forfeited.

4. Current Employees' Retained Sick Leave Bank: Current full-time, non-temporary employees who have an existing bank of accumulated unused sick days as of June 30, 2012 shall retain those sick days in a Retained Sick Leave Bank and that bank will be maintained and available for use by the employee. Upon resignation or retirement, the payout of accumulated unused sick leave as set forth in the 2007 Policy shall apply to any sick days remaining in a current employee's Retained Sick Leave Bank. This Resolution does not amend the existing rules that govern the restoration of unpaid accumulated sick days for current employees who are laid off or who resigned and are eligible for rehire and who return to service within one year of separation. The existing restoration rules shall be applied to a current employee's Retained Sick Leave Bank only.
5. Current Employees' Ordinary Sick Leave Bank: Beginning July 1, 2012, sick days that a current employee is granted at the beginning of a fiscal year shall be maintained in an Ordinary Sick Leave Bank. Days in the employee's Ordinary Sick Leave Bank that are not used on or before June 30th of the fiscal year in which the sick days were granted shall be removed from the Ordinary Sick Leave Bank and forfeited. Any accumulated sick days in the Ordinary Sick Leave Bank that an employee does not use on or before the date their employment ends shall be forfeited and shall not be paid out.
6. Current Employees' Personal Leave Benefit Days: Beginning July 1, 2012, a current employee's allotment of personal leave benefit days ("Personal Day(s)") will be granted annually during the first payroll period of the fiscal year in July rather than the first payroll period of the calendar year in January. To transition to the new fiscal year allotment cycle, during 2012 only, current employees will receive two allotments of Personal Days. The first allotment of three (3) Personal Days was already granted in January 2012 and the second allotment of three (3) Personal Days will be granted in July 2012. For current employees, (i) Personal Days granted in January 2012 that are unused by December 31, 2012 will roll over into the employee's Retained Sick Leave Bank, and (ii) Personal Days granted in July 2012 and every July thereafter that are unused by June 30th of the of the fiscal year in which the Personal Days were granted shall be forfeited.
7. New Employees' Personal Leave Benefit Days:
 - a. Employees hired after February 22, 2012 but prior to July 1, 2012 who are eligible for Personal Days shall be allotted prorated Personal Days upon hire as follows: (i) one (1) Personal Day granted upon hire to employees hired after February 22, 2012 but prior to June 1, 2012 which must be used by June 30, 2012 or forfeited, and (ii) zero (0) Personal Days are granted upon hire to employees hired during June 2012. Thereafter, such employees shall be granted during the first pay period of July 2012, and each July thereafter, an allotment of three (3) Personal Days which must be used by June 30th of the fiscal year in which the Personal Days were granted or shall be forfeited.
 - b. Employees hired on or after July 1, 2012 who are eligible for Personal Days shall be granted three (3) Personal Days prorated according to their date of hire as follows: those beginning employment between July 1 and September 30, three (3) days; those beginning employment between October 1 and March 31, two (2) days; those beginning employment between April 1 and May 31, one (1) day; and, those beginning employment between June 1 and June 30, zero (0) days. The Personal Day allotment must be used within the same fiscal year in which they are granted or shall be forfeited. Thereafter, such employees shall be granted during the first payroll period of the fiscal year in July an allotment of three (3) Personal Days which must be used by June 30th of the fiscal year in which the Personal Days were granted or shall be forfeited.

8. **Service Credit Adjustments:** For employees hired after February 22, 2012, service credit adjustments shall not be made for service with the governmental agencies identified in the 2007 Policy but service credit adjustments shall be made for military service as identified in the 2007 Policy. This Resolution does not amend the existing rules that govern the calculation of service credits for current employees who are laid off or who resigned and are eligible for rehire and who return to service within one year of separation.
9. **Previous Employees Who Return Within One Year of Separation:** This Resolution does not amend the existing rules that govern the restoration of eligible unpaid sick days for previous employees who were laid off or who resigned prior to February 22, 2012 who are eligible for re-hire and return to service within one year of separation. Restoration of eligible unpaid sick days shall be made into a Retained Sick Leave Bank established for the employee returning to service. Further, this Resolution does not amend the existing rules that govern the calculation of service credits for previous employees who were laid off or who resigned prior to February 22, 2012 who are eligible for re-hire and return to service within one year of separation.
10. **Transfer of Sick Day Banks from Other Agencies:** For employees hired after February 22, 2012, the Board will not accept transfer of sick days from the agencies identified in the 2007 Policy. For current employees, existing banks of unused transferred sick days from other agencies shall remain and shall be available for use by the employee.
11. **Vacation Benefit Day Accrual Limits:**

- a. For employees hired after February 22, 2012, the maximum accrual limit of all vacation days in an employee's Vacation Benefit Day Bank shall be as follows:

<u>Type</u>	<u>Max. Accrual</u>
With service up to an including ten (10) years	20 days
With service of eleven to twenty (20) years inclusive	25 days
With service for twenty-one (21) or more years	30 days
Employees granted 25 vacation benefit days per year based on their position title	30 days

- b. For current employees who are Principals and Assistant Principals, the maximum accrual limit of all vacation days in the employee's Vacation Benefit Day Bank shall be as follows:

<u>Type</u>	<u>Max. Accrual on July 1, 2013</u>	<u>Max. Accrual on July 1, 2014</u>
With service up to an including ten (10) years	30 days	20 days
With service of eleven to twenty (20) years inclusive	40 days	25 days
With service for twenty-one (21) or more years	50 days	30 days

- c. For current employees who are central office employees, network office employees or other non school-based educational support personnel, the maximum accrual limit of all vacation days in the employee's Vacation Benefit Day Bank shall be as follows:

<u>Type</u>	<u>Max. Accrual On July 1, 2013</u>
With service up to an including ten (10) years	20 days
With service of eleven to twenty (20) years inclusive	25 days
With service for twenty-one (21) or more years	30 days
Employees granted 25 vacation benefit days per year based on their position title	30 days

- d. Once this maximum accrual of all vacation benefit days indicated in sections 11.a, 11.b. and 11.c. above has been reached, no additional vacation time will be accrued until the vacation balance falls below the above-indicated maximum accruals.
12. Short Term Disability Plan: The Board intends to move from a traditional sick day accrual policy to a Short Term Disability Plan that more effectively addresses the needs of Chicago Public Schools employees without reference to their length of service or the number of sick days they have accrued. The Chief Executive Officer or designee is directed to develop a Short Term Disability Plan which includes maternity leave benefits. The Chief Executive Officer or designee shall provide status reports to the Board regarding the development of the Short Term Disability Plan and shall present a final Plan to the Board for approval as soon as is practicable.
13. Effective Date: Except as otherwise stated in this Resolution, the modifications to the 2007 Policy are effective as of February 23, 2012.
14. Except as modified and superseded by this Resolution, the 2007 Policy will remain in effect. To the extent that any conflict or incompatibility exists between the terms of this Resolution and the terms of the 2007 Policy, the terms of this Resolution shall control.
15. This Resolution is not intended to and should not be construed to create any contractual right in, expectancy in or claim of right to or entitlement by employees to an employment benefit and/or compensation for services with respect to sick leave, personal leave or vacation benefit days. The Board reserves and retains the right to alter how it grants and regulates the use of sick leave, personal leave and vacation benefit days and how it compensates employees for unused sick leave, personal leave or vacation benefit days at any time in the future.