

MEMORANDUM OF UNDERSTANDING Emergency Sick Leave Pool (ESLP)

The memorandum of understanding is entered into by and between Independent School District No. 834 (District) and St. Croix Education Association (SCEA).

WHEREAS, the District and SCEA are parties to a collective bargaining agreement (CBA) governing the negotiated terms and conditions of employment for teachers (employees) employed by the District; and

WHEREAS, the parties are entering into this MOU to memorialize the District's procedures related to its emergency sick leave pool (ESLP);

NOW, THEREFORE, the SCEA and the District agree as follows:

- b. Purpose
 1. The purpose of the Emergency Sick Leave Pool is to provide additional sick leave to employees who have exhausted their sick leave and have a catastrophic accident, illness, or serious recurring illness, necessitating extended absence.
- c. Membership
 1. Employees shall be offered the opportunity to join the Emergency Sick Leave Pool during an "enrollment period" on an annual basis.
 2. Employees must contribute a maximum of one day of sick leave during the enrollment period to be eligible for the Emergency Sick Leave Pool during that school year.
 - i. Employees who do not contribute one sick day to the Emergency Sick Leave Pool during the "enrollment period" shall not be eligible to use leave from the bank.
 3. Leave contributed to the Emergency Sick Leave Pool is confidential, non-refundable and contributions are irrevocable. Once a day is donated, an employee may not retract or reclaim the donated sick leave for any reason. If at any point the ESLP is not self-sustaining, the District may give employees the option to donate an additional day or additional days. Employees may not withdraw from the ESLP if the ESLP is empty.
- d. Qualification
 1. A "medical emergency" is defined as a medical condition of the employee that will require a prolonged absence from work and will result in a substantial loss of income to the employee because the employee has exhausted all forms of paid leave. A prolonged absence is seven (7) consecutive workdays or more. The medical condition must be recognized by the mainstream medical community. By way of example, but without limitation, conditions such as multiple chemical sensitivity and idiopathic environmental illness are not recognized as valid diagnoses by the mainstream medical community.
 2. The employee must have exhausted their personal sick leave accrual, and other paid leave available to them (i.e. discretionary leave, vacation, etc.), and
 3. Employees are ineligible to withdraw from the ESLP if they are receiving long term disability benefits, worker's compensation, Minnesota Paid Leave, or other pay in place of any part of their salary.

4. To qualify as a catastrophic accident or illness, for the purpose of this Emergency Sick Leave Pool, the employee must:
 - i. Need leave to meet the waiting period for Long Term Disability when a State approved personal medical leave of more than 60 days is needed and benefits provided by the State’s plan have been exhausted;
 5. Written verification by the attending physician is required.
 6. Eligible employees may apply for leave from the ESLP by submitting a completed Leave Request Form and a medical certification from their treating physician. Employees may not begin to use sick leave from the ESLP until the District has approved the written application. No application will be approved if the ESLP does not contain donated days of leave.
- e. Maximum Eligibility
1. Employees shall be eligible to use up to a maximum of (30)thirty days in a career from the Emergency Sick Leave Pool, for qualifying absences.
- f. Exclusions
1. Employees collecting payment from the State’s Minnesota Paid Family Leave Program will not be eligible to access the Emergency Sick Leave Pool to ‘top off’ or supplement the State’s paid leave payments.
 2. An employee who is collecting benefits from Long Term Disability or Workers Compensation will not be eligible.
 3. An employee who is absent for treatment and/or surgery that is considered elective in nature will not be eligible.
- g. Part-time Employees
1. Employees who are part of the plan and work less than full time shall be eligible for benefits only for the pro-rata portion of the school day for which they are employed.
- h. Administration
1. The Emergency Sick Leave Pool will be administered by the Human Resources Department.
- i. Duration. This MOU will take effect upon ratification of the 2025-2027 CBA. This MOU is separate from, and not part of, the CBA. This MOU will automatically expire on June 30, 2027.

Independent School District No. 834

_____ Date _____
 School Board Chair

St. Croix Education Association

_____ Date _____
 Union President