

UNIVERSITY OF ARKANSAS AT MONTICELLO  
CATASTROPHIC FACULTY LEAVE BANK PROGRAM  
March 2, 2006

I. PURPOSE

This policy and the accompanying procedures establish a Catastrophic Faculty Leave Bank Program for the exclusive use of the appointed, regular, full-time, benefits-eligible, Faculty Employees of the University of Arkansas at Monticello (UAM).

II. POLICY

It shall be the policy of the University of Arkansas at Monticello (UAM) to permit eligible Faculty Employees to voluntarily donate eligible accrued sick (annual leave if applicable) to the Catastrophic Faculty Leave Bank Program from which aforementioned employees may request to receive Catastrophic Leave. The Catastrophic Faculty Leave Bank Program shall assist eligible University Faculty Employees through medical emergencies, injuries, and illnesses upon the exhaustion of all earned sick, holiday, and annual leave (if authorized). The Program shall be administered by the Catastrophic Faculty Leave Committee of the University. The administration of the Catastrophic Faculty Leave Bank Program shall be in accordance with the guidelines established by the UAM Executive Council within the laws of the State of Arkansas.

III. DEFINITIONS

**Catastrophic Faculty Leave Bank Program** is a program approved, maintained, and administered by the University of Arkansas at Monticello.

**Catastrophic Faculty Leave Bank** is a pool of accrued sick (annual if applicable) leave voluntarily donated by Faculty Employees which may be approved by the University for use by other Faculty Employees.

**Catastrophic Faculty Leave Committee** is a committee which reviews Leave Donor requests, reviews applications from faculty employees for Catastrophic Leave and makes recommendations to the UAM Executive Council relating to such leave.

**Catastrophic Illness** is a medical condition certified by a physician of a benefits-eligible, full-time Faculty Employee that requires an employee's absence from duty for a Prolonged Period of Time and which, except for the Catastrophic Faculty Leave Program, would result in a substantial loss of income to the employee because of the exhaustion of all accrued leave time. Catastrophic Illness includes a medical condition of a Qualifying Family Member of the employee.

**Catastrophic Leave** is paid leave which is transferred to a leave recipient from the University's Catastrophic Faculty Leave Bank.

**Executive Council** consists of the Chancellor, Provost, and Vice Chancellors of the University of Arkansas at Monticello.

**Faculty Employee(s)** is a person or persons who are regularly appointed in a benefits-eligible academic faculty position by the University of Arkansas at Monticello and who are compensated on a full-time basis. These positions include employees paid from positions including professors, associate professors, assistant professors, instructors, workforce ed instructors, et. al. whose primary activity consists of instruction of students, conducting research, or public service. This excludes administrators and other professionals such as librarians.

**Leave Donor** is an eligible Faculty Employee whose voluntary written request to donate eligible accrued sick or annual leave to the UAM Catastrophic Faculty Leave Bank has been reviewed and accepted by the Catastrophic Faculty Leave Committee.

**Leave Recipient** is a current Faculty Employee whose request has been reviewed by the Catastrophic Faculty Leave Committee and approved by the UAM Executive Council to receive Catastrophic Leave from the University's Catastrophic Faculty Leave Bank.

**Medical Condition** is the Catastrophic Illness of a Faculty Employee or the illness of a Qualifying Family Member where the employee is unable to perform his/her job duties. Normal maternity leave is not catastrophic in nature and, therefore, is not a medical condition that qualifies for Catastrophic Illness.

**Prolonged Period of Time** is a minimum of thirty (30) working days in which a medical condition prevents the Faculty Member from performing his/her duties.

**Qualifying Family Member** is a spouse, son or daughter, or parent of the employee as defined in the State Office of Personnel Management Family and Medical Leave Act definitions.

#### IV. CATASTROPHIC FACULTY LEAVE COMMITTEE

The Catastrophic Leave Committee shall be comprised of five members. Committee members, including the Chairman, shall be appointed by the Chancellor with staggered terms and shall serve a length of time designated by the Chancellor. Committee members shall represent a cross-section of the faculty ranks of the University. A designated Personnel Office representative should serve as Secretary and be an ex officio (non voting) member of the Committee. Recommendations shall be based on the majority vote of the Committee.

The Catastrophic Faculty Leave Committee shall:

- A. Determine if eligible Faculty Employees have met the requirements for Catastrophic Leave as listed in Section V, “Determine Eligibility of Catastrophic Faculty Leave Requests.”
- B. Review the Donor Application Form documents and determine if the leave is eligible to be received by the University from the Leave Donor.
- C. Review and make recommendations to the UAM Executive Council regarding written requests from University Faculty Employees to receive Catastrophic Leave from the UAM Catastrophic Faculty Leave Bank.
- D. Ensure the accuracy and complete documentation of Catastrophic Leave requests and/or donation forms and records which provide:
  - 1. The hours of leave donated by each Faculty Employee.
  - 2. The hours of Catastrophic Leave awarded to each recipient.
  - 3. A monthly report, which includes, at a minimum, the names of Faculty Employees, the number of donated/received days, and balance of days remaining in the Catastrophic Faculty Leave Bank.
  - 4. Monitoring of records to prevent a negative balance in the Catastrophic Faculty Leave Bank.
  - 5. The use of State Office of Personnel Management form for the Catastrophic Faculty Leave Bank Program.
  - 6. Any other data as required by the UAM Executive Council.
- E. Ensure the provisions of Section VI “Catastrophic Faculty Leave Program Provisions and Administration” are followed.

V. DETERMINE ELIGIBILITY OF CATASTROPHIC FACULTY LEAVE REQUESTS

The Catastrophic Faculty Leave Committee shall adhere to the following rules and guidelines when reviewing each Catastrophic Leave request:

- A. The Faculty Employee must be an eligible employee as determined by Section III, DEFINITIONS, (excluding any leave without pay due to his/her illness).

- B. The Faculty Employee must have been employed by the University of Arkansas at Monticello in a full-time regular benefits-eligible faculty position for two (2) continuous years.
- C. The Faculty Employee must not have been disciplined for any leave abuse during the last two (2) years of employment.
- D. No Faculty Employee shall be eligible for approved Catastrophic Leave in excess of six continuous months unless it can be demonstrated that the employee has been denied disability, retirement, or Social Security benefits. If the employee documents and receives Catastrophic Leave due to the denial of disability, retirement, or Social Security benefits, the Catastrophic Faculty Leave Committee will review any approvals at the end of each quarter (90 days) of the calendar year to make appropriate recommendations to the Executive Council.
- E. If the illness or injury is covered by workers' compensation, the compensation based on Catastrophic Leave when combined with the weekly workers' compensation benefit, shall not exceed the compensation received by the Faculty Employee at the onset of the illness or injury.
- F. No Faculty Employee shall be approved for Catastrophic Leave unless the employee has provided an acceptable medical certificate from a physician supporting the continued absence, and sets forth that the employees are and will continue to be unable to perform their duties due to a Catastrophic Illness or from the condition of a Qualifying Family Member. Information relative to the Faculty Employee's assigned duties, such as a functional job description, may be made available to the physician.
- G. In no case shall Catastrophic Leave be granted beyond the date the physician certifies that the Faculty Employee is able to return to work.
- H. Catastrophic Leave which would result in a negative balance in the University's Catastrophic Faculty Leave Bank shall not be approved.
- I. No employee shall be approved for Catastrophic Leave unless the faculty employee is or is reasonably expected to be on leave-without-pay status. Catastrophic Leave shall not be awarded retroactively.
- J. Applications for Catastrophic Leave shall be reviewed on a first-filed, first-considered basis. If a zero balance exists in the Catastrophic Faculty Leave Bank, no leave will be granted.

VI. CATASTROPHIC FACULTY LEAVE PROGRAM PROVISIONS AND ADMINISTRATION

- A. Accrued leave may only be donated to the Catastrophic Faculty Leave Program in one-hour increments. Similarly, Catastrophic Leave may be granted only in one-hour increments.
- B. An eligible Faculty Employee can contribute a maximum of forty (40) hours per calendar year to the Catastrophic Leave Bank Program. This provision also applies to terminating and/or retiring employees.
- C. Accrued leave may only be donated to the Catastrophic Faculty Leave Bank from November 16 through of December 31 of each calendar year. Retiring or terminating Faculty Employees can donate during their last thirty (30) days of employment with UAM.

The University will designate an initial timeframe for Leave Donor hours near the beginning of the plan's implementation.

- D. A Faculty Employee shall not be allowed to donate leave to the University's Catastrophic Faculty Leave Program if such donation will reduce his/her combined accrued sick leave and annual leave balance to less than eighty (80) hours. Retiring or terminating employees are not required to maintain the (80)-hour leave balance but are limited to the maximum forty hours per calendar year.
- E. After annual and/or sick leave is donated to the Catastrophic Faculty Leave Bank, no employee shall have donated leave restored (returned) to his/her accrued annual or sick leave balance.
- F. Only eligible Faculty Employees of UAM may participate in the Catastrophic Faculty Leave Bank Program established by and approved by the University.
- G. Recommendations by the Catastrophic Faculty Leave Committee shall be presented to the UAM Executive Council which will make the final decision regarding requests for Catastrophic Leave.
- H. Employees on Catastrophic Leave will continue to accrue leave in accordance with existing leave policies and will receive normal University benefits such as contributions to insurance, retirement, etc.
- I. Faculty employees on Catastrophic Leave will continue to draw their normal rate of pay (excluding overloads, summer salary, etc.).
- J. Any leave earned while a faculty employee is on Catastrophic Faculty Leave shall, as a condition of voluntary participation in the program, be assigned to the

Catastrophic Faculty Leave Bank, and any restrictions concerning the maintenance of minimum leave balances shall not apply to such assignment.

- K. If a Faculty Employee fails to report to work promptly at the expiration of the period of approved Catastrophic Leave, the Faculty Employee may be subject to disciplinary action, up to and including dismissal. In extenuating circumstances and with sufficient notification, along with the supervising Executive Council member's approval, the University may grant leave-without-pay status to an employee prior to or after the expiration of Catastrophic Leave.
- L. In the event a faculty employee on Catastrophic Leave is terminated, retires, or returns to work prior to the expiration of previously approved Catastrophic Leave, all unused Catastrophic Leave shall be returned to the Catastrophic Leave Bank. When it is found to be in the best interest of the University and with the supervising Executive Council members' approval, an employee may work part-time during the catastrophic leave period without relinquishing the balance of the previously approved Catastrophic Leave. In no case, however, can the Catastrophic Leave extend past the return-to-work date certified by the employee's physician.

Justification for this status, including the Executive Council members' approval must be immediately provided to the UAM Personnel Office by the Faculty Employee's immediate supervisor.

- M. Any changes in the UAM Catastrophic Faculty Leave Bank Program policies, procedures, or rules shall be approved by UAM Executive Council prior to implementation.
- N. The Catastrophic Faculty Leave Bank Program does not create any expectation or promise of term or continued employment.
- O. The decision of the UAM Executive Council shall be final and binding.
- P. This Program and its records are subject to audit by the University and the Division of Legislative Audit.
- Q. A Faculty Employee cannot donate or restrict his/her leave to a specific employee.

## VII. PROHIBITION OF COERCION

No employee of the University of Arkansas at Monticello shall directly or indirectly intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other employee for the purpose of interfering with any such faculty employee with respect to donating, receiving, or using annual or sick leave. Any such instance shall be described and reported in writing to the UAM Executive Council. All written reports of such

instances shall be investigated thoroughly and appropriate disciplinary action shall be taken.

VIII. SUPPLYING FALSE INFORMATION AND/OR ABUSE OF  
CATASTROPHIC LEAVE

- A. Any employee who knowingly and/or purposefully provides false information to the Catastrophic Faculty Leave Committee in an attempt to gain approval of Catastrophic Leave time may receive disciplinary action up to and including dismissal.
- B. Any employee who knowingly abuses the use of approved Catastrophic Leave time for the purpose of monetary gain, recreational pleasures, or any such actions that are deemed contrary to the basic intent of the Catastrophic Leave Bank Program may receive disciplinary action up to and including dismissal.