

UNIVERSITY OF ARKANSAS AT MONTICELLO
CATASTROPHIC LEAVE BANK PROGRAM
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Revised 09/08/2003

I. PURPOSE

This policy and the accompanying procedures establish a Catastrophic Leave Bank Program for the exclusive use of the appointed, regular, full-time, classified and non-classified employees (non-faculty) 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 benefits - eligible, full-time employees (non-faculty) to voluntarily donate approved accrued annual and/or sick leave to the Catastrophic Leave Bank Program from which aforementioned employees may request to receive catastrophic leave. The Catastrophic Leave Bank Program assists eligible University employees through medical emergencies, injuries, and illnesses upon the exhaustion of all earned sick, annual, holiday, and compensatory leave. The program shall be administered by the Catastrophic Leave Committee of the University. The administration of the Catastrophic Leave Bank Program shall be in accordance with Act 169 of 1991, Act 441 of 1993, the Arkansas Department of Finance Administration Rules and Regulations, and University policies and procedures.

III. DEFINITIONS

Executive Council means the University of Arkansas at Monticello Chancellor and Vice Chancellors.

Catastrophic illness means a medical condition of benefits - eligible, full-time employee (non-faculty) as certified by a physician that requires an employee's absence from duty for a prolonged period of time and which, except for the Catastrophic Leave Program, would result in a substantial loss of income to the employee because of the exhaustion of all earned sick, annual, holiday, and compensatory leave time. Catastrophic illness includes a child of the employee which may be claimed as a dependent under the Arkansas Income Tax Act of 1929

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and the spouse or parent of the employee. Normal maternity leave is not catastrophic in nature and therefore, does not qualify for catastrophic illness.

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

Catastrophic Leave Bank means a pool of accrued annual and sick leave voluntarily donated by employees which may be approved by the University for use by other employees.

Catastrophic Leave Committee means a committee which reviews leave donor requests and reviews applications from employees for Catastrophic Leave and makes recommendations to the UAM Executive Council relating to such leave.

Catastrophic Leave Bank Program means a program approved by the Director of the Arkansas Department of Finance and Administration and established, maintained, and administered by the University of Arkansas at Monticello.

Medical Condition means an employee is unable to perform his/her job duties due to a catastrophic illness. Normal maternity leave is not catastrophic in nature and therefore, is not a medical condition that qualifies for catastrophic illness.

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

Employee means a person who is regularly appointed in a classified or non-classified position (non-faculty) of state service by the University of Arkansas at Monticello and who is compensated on a full-time basis. A person who works less than full time (forty hours per week) is excluded from this definition and, as such, is not eligible to participate as a donor or recipient in a Catastrophic Leave Bank Program.

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Leave Donor means an employee whose voluntary written request to donate accrued annual or sick leave to the UAM Catastrophic Leave Bank has been reviewed by the Catastrophic Leave Committee and approved by the UAM Executive Council.

Leave Recipient means a current employee whose request has been reviewed by the Catastrophic Leave Committee and approved by the UAM Executive Council to receive catastrophic leave from the University's Catastrophic Leave Bank.

IV. CATASTROPHIC LEAVE COMMITTEE

The Catastrophic Leave Committee shall be comprised of not less than three members. Committee members, including a Chairman/Secretary, shall be appointed by the Chancellor and shall serve a length of time designated by the Chancellor. Committee members shall represent a cross-section of both administration and staff of the University. Recommendations shall be based on the majority vote of the committee. The Catastrophic Leave Committee shall be responsible for the following:

- A. Review and make recommendations to the UAM Executive Council on written requests from the University employees to donate and/or receive catastrophic leave to /from the UAM Catastrophic Leave Bank.
- B. Determine eligibility of employees requesting and/or donating leave to the UAM Catastrophic Leave Bank.
- C. Insure the accurate and complete documentation of catastrophic leave requests and/or donation forms and records which provide:
 - 1. The hours of leave donated by each employee.
 - 2. The hours of catastrophic leave awarded to each recipient.

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3. A monthly report listing by individual the number of donated/received days, balance of days left in the Catastrophic Leave Bank, and other additional requested information.
4. The maintenance of up-to-date records to prevent recommendations that will result in a negative balance in the Catastrophic Leave Bank.
5. Any other data as required by the UAM Executive Council or the Arkansas Department of Finance and Administration.
6. The State Office of Personnel Management form must be used if available.

V. DETERMINING ELIGIBILITY OF CATASTROPHIC LEAVE PROCESS

The Catastrophic Leave Committee shall review each request to donate/receive leave and ascertain that the following listed rules and guidelines are adhered to before recommending approval:

- A. The employee must be eligible employee and be receiving compensation on a full-time basis.
- B. The employee must have been employed by the State of Arkansas in a full-time regular position for two years although the two years need not be continuous.
- C. The employee must not have been disciplined for any leave abuse during the last two years of employment.
- D. No 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.

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- E. If the illness or injury is that of an employee and is covered by workers compensation, the compensation based on catastrophic leave when combined with the weekly workers' compensation benefit received by the employee shall not exceed the compensation being received by the employee at the onset of the illness or injury.
- F. No employee shall be approved for Catastrophic Leave unless the employee has provided an acceptable medical certificate from a physician supporting the continued absence, and setting forth that the employee is and will continue to be incapacitated from performing the employee's duties due to a catastrophic illness. Information relative to the employee's assigned duties, such as functional job description, should be made available to the physician by the employee.
- G. In no case shall Catastrophic Leave be granted beyond the date the physician certifies that the employee is able to return to work.
- H. Catastrophic Leave which would result in a negative balance in the University's Catastrophic Leave Bank shall not be approved.
- I. No employee shall be approved for Catastrophic Leave unless the employee is or is reasonably expected to be in 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; and approval does not guarantee that a Catastrophic Leave applicant will receive Catastrophic Leave should there be a zero balance in the Catastrophic Leave Bank.

VI. CATASTROPHIC LEAVE PROGRAM ADMINISTRATION

The Catastrophic Leave Program shall be administered by the Catastrophic Leave Committee for the eligible classified and non-classified employees (non-faculty) of the University of Arkansas at Monticello.

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- A. Accrued leave may only be donated to the Catastrophic Leave Program in one-hour increments. Similarly, catastrophic leave may be granted only in one-hour increments.

- B. An eligible employee can contribute a maximum of forty hours per calendar year to the Catastrophic Leave Bank Program. This provision applies to terminating and /or retiring employees.

An exception to this provision may be approved by the Catastrophic Leave Committee and the Chancellor. Any exception request shall include supporting justification as to why such request is warranted.

- C. Accrued leave may only be donated to the Catastrophic Leave Bank during the month of December of each year. Retiring or terminating employees can donate during their last month of employment with UAM.

- D. An employee shall not be allowed to donate leave to the University's Program if such donation will reduce his/her combined accrued sick leave and annual leave balance to less than 80 hours. Retiring or terminating employees are not required to maintain the 80 hour balance but are limited to the maximum forty hours per calendar year.

- E. Once annual or sick leave is donated to the Catastrophic Leave Bank, no employee shall have donated leave restored to her/her accrued annual or sick leave totals.

- F. Classified and non-classified employees (non-faculty) of UAM shall only be eligible to participate in the Catastrophic Leave Bank Program established by and approved for the University.

- G. Recommendations by the Catastrophic Leave Committee shall be reviewed and approved or disapproved by the UAM Executive Council.

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- H. Employees on Catastrophic Leave will continue to accrue leave in accordance with existing State leave policies and will receive normal University benefits such as contributions to insurance, retirement, etc.
- I. Employees on Catastrophic Leave will continue to draw their normal rate of pay. Catastrophic Leave will not change an employee's increase eligibility date; however, the award of the next merit salary increase will be delayed beyond the anniversary date for the same number of work days that the employee was on leave without pay and/or Catastrophic Leave.
- J. Any leave earned while an employee is on Catastrophic Leave shall, as a condition of voluntary participation in the program, be assigned to the Catastrophic Leave Bank, and any restrictions concerning the maintenance of minimum leave balances shall not apply to such assignment.
- K. An employee shall be dismissed if such employee fails to report to work promptly at the expiration of the period of approved/granted Catastrophic Leave. Nothing, however, shall prevent the University from accepting satisfactory reasons provided by the employee in advance of the date the employee is scheduled to return to work or from granting leave-without-pay status to an employee prior to or after the expiration of such Catastrophic Leave if, in the view of the UAM Executive Council, such action, is warranted and is within the rules and regulations.
- L. In the event an 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 employee's supervisor's approval, an employee may work part-time during the catastrophic leave period without relinquishing the balance of the previously approved catastrophic leave.

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- M. Any changes in the UAM Catastrophic Leave Bank Program policies, procedures, or rules shall be submitted to and approved by the Arkansas Department of Finance and Administration Director prior to implementation.
- N. The Catastrophic Leave Bank Program does not create any expectation or promise of continued employment.
- O. The decision of the UAM Executive Council shall be final and binding. Nothing, however, shall prevent the cabinet from taking into account the impact on the University's operation in granting or denying Catastrophic Leave or in modifying previously approved Catastrophic Leave.
- P. These records are subject to audit by the Arkansas Department of Finance and Administration and the Division of Legislative Audit.
- Q. An 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 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 on any violation that is substantiated.

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

- A. Any employee who knowingly and/or purposefully provides false information the Catastrophic Leave Committee in an attempt to gain approval of Catastrophic Leave time may be dismissed or receive some other type of disciplinary action.

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- 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 be dismissed or receive some other type of disciplinary action.