

Catastrophic Leave



CATASTROPHIC LEAVE BANK GUIDELINES

Effective January 1, 2001

PURPOSE

Delaware Technical Community College offers a Catastrophic Leave Bank Program to provide employees an opportunity to support their peers who are facing a major health crisis. The program allows employees to provide assistance in the form of donated sick leave to a bank. It was developed as part of College efforts to create a caring environment. While the program establishes a mechanism for sick leave donations, participation is voluntary. The President shall have the authority to issue such rules and regulations necessary to implement and continue this program.

CATASTROPHIC ILLNESS DEFINITION

A Catastrophic Illness is defined as any illness or injury to an employee which is diagnosed and certified by a physician as rendering the employee unable to work or affecting a member of the employee's immediate family who has a serious health condition requiring personal care by the employee. It must be anticipated that the absence will be for more than 30 days. Separate periods of disability, resulting from the same or a related medical condition and occurring within any 12-month consecutive period, shall be considered the same period of disability.

The policy will not apply to short-term or sporadic conditions or illnesses. Each case must be examined and decided based on its conformity to policy intent and must be handled consistently and equitably.

QUALIFYING CRITERIA

The Donating Employee (Donor) shall:

- Be a current regular, full-time Delaware Technical Community College employee.
- Donate only accrued sick leave with every two days equaling one day in the bank.
- Donate in increments of whole days.
- Donate no more than 60 days per Calendar Year (equating to 30 days added to the Bank).
- Not sell any accrued leave which might otherwise be donated under this Policy.
- Not be entitled to reinstatement of the leave.

The Receiving Employee (Recipient) shall:

- Be a current regular, full-time Delaware Technical Community College employee for at least 1 year.
- Have used all accrued sick and compensatory leave, and half of annual leave days as of the date of catastrophic illness. When the leave is being requested to care for a member of the employee's immediate family, all accrued annual leave must be used.
- Be permitted to withdraw a maximum of 60 days from the Bank.
- Have a satisfactory attendance record.
- Not be receiving worker's compensation, long-term disability, or salary continuance.
- Provide sufficient medical certification, renewing such certification every 30 days during absence. The certification must verify the severity or extraordinary nature and expected duration of the employee's or immediate family member's condition.
- Not be permitted to any payout of leave received from the leave bank.

Immediate Family shall mean:

Employee's spouse, domestic partner, parent or individual who stands in loco parentis, son or daughter (including stepchild, foster child, child of an employee standing in loco parentis or child of domestic partner) who has a serious health condition.

GENERAL INFORMATION

- Donations shall be made to a College-wide leave bank (donations to specific individuals shall not be permitted) utilizing the "Application to Donate Leave to the Catastrophic Leave Bank" form.
- Donations from active employees are accepted throughout the year.
- Donations are made on a 2:1 ratio. Each day placed in the Bank requires a deduction of two days from the donor's accrued sick leave.
- There is no requirement to donate to the leave bank to be a recipient of leave from the bank.
- All donations must be given voluntarily. No employee may be directly or indirectly intimidated, threatened, coerced or financially induced into donating leave to the catastrophic leave bank.
- Withdrawals from the bank may be made only when a balance exists.
- If the recipient returns to work before the received leave has been expended, the unused leave shall be returned to the Catastrophic Leave Bank.
- Individual leave records are confidential.
- The donation or receipt of leave may not be revealed without the consent of the person affected.
- The recipient must return to work for one month or the number of days withdrawn from the Bank, whichever is greater, upon the exhaustion of the donated leave or approved extension of leave unless the serious health condition of the employee continues or for another reason beyond the employee's control. Recipients failing to return to work shall be required to reimburse the College for any salary and employee costs associated with the catastrophic leave.
- While using catastrophic leave, the recipient will continue to accrue annual and sick leave.

- This accrued leave must be deducted each pay period before catastrophic leave is used.
- Denial of request for leave shall not be grievable.

PROCESS

At the commencement of each academic year, a Catastrophic Leave Review Committee shall be appointed by the President to administer the Leave Bank. The committee shall be chaired by the Assistant Vice President for Human Resources and consist of representation from each campus location and each of the Salary Plans A, B, and D.

As early as possible, an employee who anticipates a need to use the Catastrophic Leave Bank must submit an "Application to Receive Catastrophic Leave" form and "Certification of Physician or Practitioner" form to the Campus Human Resources Office with a copy to his/her supervisor, Dean/Director, and Vice President & Campus Director.

The Campus Human Resources Office shall forward the documentation to the Assistant Vice President for Human Resources in the Office of the President. The documentation shall include: the "Application to Receive Catastrophic Leave" form, the "Certification of Physician or Practitioner" form, current sick, compensatory, and annual leave balances, and leave usage during the prior two years.

Within a reasonable period of time, the Committee shall forward to the Chief Legal Counsel for final approval, Catastrophic Leave Request(s) recommended for approval and the number of days to be awarded. The Vice President and Campus Director and Director of Human Resources of the recipient's campus shall be notified of catastrophic leave request approvals/disapprovals. The Director of Human Resources shall notify the employee of the approval/disapproval.

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