

POLICIES & PROCEDURES
Fairmont State University Board of Governors
POLICY NO. 28

TITLE: CLASSIFIED EMPLOYEES' CATASTROPHIC LEAVE TRANSFER

Effective November 29, 2004

DEFINITIONS:

- a. Catastrophic illness or injury means an illness or injury which is expected to incapacitate the employee and which creates a financial hardship because the employee has exhausted all sick leave and other paid time off. Catastrophic illness or injury shall also include an incapacitated immediate family member if this results in the employee being required to take time off from work for an extended period of time to care for the family member and the employee has exhausted all sick leave and other paid time off.
- b. Employee means a classified, non-classified or faculty who accrues sick leave regular benefits-eligible employee of Fairmont State University.

POLICY

Sick or annual leave may be donated to any employee experiencing a catastrophic illness or injury as those terms are defined in section (a) above. Sick or annual leave shall be donated at the request of the employee upon appropriate verification that the employee is unable to work due to the catastrophic illness or injury as determined by the president of the institution or senior administrator.

Upon approval of the transfer of sick or annual leave by the president of the institution or senior administrator, any employee may, upon written notice to the Human Resources Office, donate sick or annual leave in one-day increments. Donations will be reflected as a day-to-day deduction from the sick or annual leave balance of the donating employee. No employee shall be compelled to donate sick or annual leave.

An employee receiving the transfer of sick or annual leave shall have any time which is donated credited to such employee's account in one-day increments and reflected as a day-for-day addition to the leave balance of the receiving employee.

Use of donated credits may not exceed a maximum of twelve continuous calendar months from any one catastrophic illness or injury. The total amount of sick or annual leave donated may not exceed an amount sufficient to insure the continuance of regular compensation and shall not be used to extend insurance coverage pursuant to Section 12 article 16 chapter 5 of the Code. An employee receiving donations of sick or annual leave shall use any leave personally accrued on a monthly basis prior to receiving additional donated sick or annual leave.

Transfer of sick or annual leave may be inter-institutional in accordance with policies of the appropriate governing board. Each institution and the Central Office shall be responsible for the administration of the sick or annual leave transfers of its classified employees.

PROCEDURE

1. Any classified, non-classified or faculty who accrues sick leave regular benefits-eligible Fairmont State University employee experiencing catastrophic illness or injury as defined in this policy who wishes to request approval to receive sick or annual leave donations should direct such request in writing to the Human Resources office. The request must be accompanied by a physician's statement that the employee is unable to work due to the catastrophic illness or injury, indicating the probable duration of such incapacity.
2. The Human Resources Administrator will then verify that the request meets all requirements of the policy and advise the employees regarding approval. With recipient's written approval, the Human Resources Office will be responsible for sending notification to all employees. When all requirements have been met and with recipient's written approval, the Human Resources Office will be responsible for sending notification of recipient's request to all employees.
3. Any classified, non-classified or faculty who accrues sick leave regular benefits-eligible employee of Fairmont State University, or of another institution within a West Virginia higher education governing board, or of the Central Office who wishes to donate accumulated sick or annual leave to an approved recipient shall provide written notice

to the Human Resources Administrator of the desire to donate and the amount of sick or annual leave time, in one-day increments, to be donated.

4. The Human Resources Office will maintain a record of the dates that a recipient is approved and written donations are received. Transfers of sick or annual leave time, on a day-for-day basis, will then be made in the order written donations are received, and for the duration of the time period approved for the recipient according to the Catastrophic Leave Transfer Policy.
5. As transfers occur, copies of a written confirmation will be provided to
 - the donor
 - the recipient
 - the office responsible for tracking the donor's accumulated sick or annual leave
 - the office responsible for tracking the recipient's accumulated sick or annual leave
 - Human Resources Office file

NOTE: If a donor subsequently wishes to change his/her written notice of desire to donate, the desired change must also be in writing and will be handled as expediently as possible upon receipt.

Transfers must be made within the time frame allotted each payroll cycle, and adjustments cannot be made retroactively beyond the pay cycle in progress.

CATASTROPIC LEAVE TRANSFER

- provides for the transfer of accumulated sick or annual leave from qualified donors to a qualified recipient upon the recipient's experiencing catastrophic illness or injury.
- defines catastrophic illness or injury as one which (1) is expected to incapacitate the employee and (2) creates a financial hardship because all paid time off has been exhausted.
- includes an incapacitated immediate family member if the employee is required to take time off from work for an extended period of time to care for the family member and has exhausted all paid time off.
- defines immediate family member as in Series No. 35.
- restricts recipients to classified, non-classified or faculty who accrues sick leave benefits-eligible employees of Fairmont State University.
- restricts donors to classified, non-classified or faculty who accrues sick leave benefits-eligible employees of the institution, other institutions within the governing boards, and the central office.
- requires that an employee who wishes to be a recipient of sick or annual leave under this section of the Code must first request it.
- places the responsibility for approving such requests on the President of the employee's institution or the President's designated senior administrator (approval implies verification of catastrophic illness or injury, incapacity, duration of incapacity, and exhaustion of paid time off).
- requires that those who wish to donate to an approved recipient do so in writing to the human resources department of the recipient's institution.
- restricts donations to one-day increments.
- provides that the transfers of sick or annual leave shall be a day-for-day reduction in the donor's sick or annual leave balance and addition to the recipient's balance.
- places no restriction on the number of days a donor may give.
- places no restriction on the number of donors who may give to an individual recipient.
- restricts the use of such transferred leave to the continuation of regular compensation during the period of incapacity and after exhausting any leave personally accrued monthly by the recipient.
- restricts the time period within which a recipient may receive donated sick or annual leave for any one catastrophic illness or injury to twelve continuous calendar months.