Catastrophic Leave Sharing

The Catastrophic Leave Sharing program permits temporary salary and benefits continuation for eligible employees who have exhausted all paid leave when an employee experiences a catastrophic illness or injury, or an eligible employee is needed to care for an immediate family member who experiences a catastrophic illness or injury. This policy is supplemental to and does not change current policy and practice regarding vacation or sick leave, FMLA authorized leave or the Sick Leave Bank program administered under the District Collective Bargaining Agreement.

I. DEFINITIONS

A. Catastrophic Illness or Injury

A catastrophic illness or injury is defined as a diagnosed serious debilitating illness, injury, impairment, or physical or mental condition that is present for more than seven consecutive work days, and that involves:

1. A period of illness, injury or treatment requiring inpatient care (e.g., overnight stays) in a hospital, hospice, or residential medical care facility; or a period of illness or injury requiring absence of more than seven consecutive work days, and that also involves continuing treatment by (or under the supervision of) a licensed health care provider; or

2. A period of illness or injury requiring absence of more than seven consecutive work days from work, and which also requires continuing treatment by (or under the supervision of) a licensed health care provider; or

3. A period of illness, injury or treatment requiring absence of more than seven consecutive work days due to a chronic serious health condition (e.g., asthma, diabetes, epilepsy, etc.) and requires continuing treatment by (or under the supervision of) a licensed healthcare provider); or

4. A period of illness or injury which is long-term due to a condition for which treatment may be ineffective (e.g., stroke, terminal disease, etc.) and which has not reached eligibility status for long term disability benefits; or

5. An absence to receive multiple treatments (including any period of recovery there from) either for restorative surgery after a non-work related accident, or other non-work related injury, or for a chronic condition, i.e., cancer or kidney disease.

B. Immediate Family

The employee’s spouse and the employee’s dependent children, step-children, or adopted children residing in the same household constitute the “immediate family”.

C. Eligible Employee

An “Eligible Employee” is:

1. A full time employee who has been employed for, at minimum, twelve (12) months by the District without a break in service prior to submission of a request for Catastrophic Leave (exceptions to the length in service can be granted by the School Board only), and
2. not receiving any other supplemental payments (e.g., Workers' Compensation or Long Term Disability), and
3. one who has exhausted all accrued paid leave (sick, personal and annual) and any granted Sick Bank Leave because of a catastrophic illness or injury, and
4. not on disciplinary leave, and
5. not on other long term unpaid leave which was approved prior to the date of the catastrophic event and which does not qualify as FMLA leave, and
6. one whose condition meets the definition of catastrophic illness or injury or catastrophic event.
7. The employees are encouraged to be a current participant in the Sick Leave Bank.

D. Eligible Donor

An “Eligible Donor” is:

1. A full or part time employee who has accrued no less than 400 hours unused sick leave, and
2. has not solicited or accepted anything of value in exchange for the donation and voluntarily chooses to donate accrued and unused sick leave to an Eligible Employee; and
3. has completed the Catastrophic Leave Donation form.
4. An “Eligible Donor” who is also the spouse of an Eligible Employee may designate an unlimited number of hours to be transferred to his/her spouse as long as the required minimum balance is maintained after the donation.
E. Termination

“Termination” as used in this policy means the voluntary or involuntary separation of employment with the District and includes retirement.

II. LIMITATIONS; CONSEQUENCES

A. Accrued sick leave shall be transferred in whole hour increments with a required 8-hour minimum.

B. An Eligible Donor must maintain a minimum balance of 320 hours of accrued sick leave after donation.

C. The maximum amount of time an Eligible Employee may remain off work on donated leave is six (6) continuous or non-continuous months within a twelve month period.

D. An Eligible Donor shall sign a release acknowledging that the donation is irrevocable and will not be returned to the Donor, except as otherwise provided in this policy, nor will the Donor receive any compensation if the donated leave is not used by the date of termination of the Donor’s employment with the District.

E. The total leave donations received by an Eligible Employee shall not exceed the amount necessary to cover the long-term disability waiting period (if applicable).

F. Donation of accrued leave, including donation to a spouse who is an Eligible Employee, is prohibited in the case of work-related illnesses or injuries covered by workers’ compensation, long-term disability, or disability retirement benefits.

G. Elective or cosmetic surgery and other elective procedures are not included within the meaning of catastrophic illness or injury.

H. Any fraudulent claim may result in: 1) forfeiture and/or repayment of donated benefits, and 2) disciplinary action, up to and including termination from employment.

I. In the event the Eligible Employee does not exhaust all donated leave prior to return to work, termination or transfer to long term disability status, the balance of any unused Catastrophic Leave shall be re-credited to the Eligible Donor(s) on a pro-rata basis.

J. A conversion will be made of the value of the donor’s donated leave based on the donor’s hourly rate of pay, to hours of leave for the recipient based on the recipient’s hourly rate of pay.
III. Procedures

A. An employee requesting Catastrophic Leave shall complete a Catastrophic Leave Request Form and submit it to his/her supervisor for review and signature. The supervisor shall provide the Human Resources Department with the original request form for review and determination of eligibility.

B. The Eligible Employee’s Catastrophic Leave Request Form must include a certified document by a health care provider that describes the nature, severity and anticipated duration of the medical condition of the recipient and that includes a statement that the recipient is unable to work all or a portion of the recipient’s work hours. The document must be certified by a health care provider that describes the nature, severity, and anticipated duration of the medical condition of the recipient and includes a statement that the recipient is unable to work all or a portion of the recipient’s work hours, and which is satisfactory to the District. In the case of an immediate family member, the certified document should include the need for the employee to care for the immediate family member.

C. RRPS reserves the right to determine whether an illness or injury qualifies as catastrophic based on the information provided from a licensed health care provider and may require additional information in order to determine whether the completed Catastrophic Leave Request Form meets the requirements of this policy.

D. If the employee is eligible, the Human Resources Department shall approve or deny the request and forward the request for final approval by the Superintendent. Upon final approval by the Superintendent, the Human Resources Department will notify the Eligible Employee and his/her supervisor.

E. The Human Resources Department shall communicate the basis of the Request and time requested for donation of leave to staff via email. If the requesting Employee has indicated that s/he wishes to remain anonymous on the Leave Donation Request Form, the email requesting leave donations must maintain employee confidentiality.

F. The Human Resources Department shall determine the eligibility of the employee offering to donate Catastrophic Leave and shall maintain confidentiality if the Eligible Donor requests confidentiality.

G. Donated Catastrophic Leave shall be transferred by the Finance Department (Payroll Section) from the Eligible Donor’s records to the Eligible Employee’s records only upon written approval of the Executive Director of the Human Resources Department and the Superintendent. This written approval cannot be delegated.

H. The leave benefits received by the Eligible Employee shall be treated as any other benefit payment and shall be reduced by any required federal or state withholding taxes or other authorized withholdings.
I. The Superintendent is authorized to adopt other procedures consistent with the foregoing policy.

J. The Superintendent shall provide an annual report to the Board regarding the burdens and benefits of this policy.

Also see: Policy 260 Leaves from Duty

Rio Rancho Public Schools

 Adopted: July 13, 2015