

## Leave Bank Program Policy

Applicability	All BGSU Faculty and Staff
Last Revised	April 6, 2009
Policy Owner	Office of Human Resources
Governing Body	N/A
SAS 112 Applic.	No

<b>Number</b>	<b>AA-BB-CCC</b>
(numbers will be assigned by Internal Audit & Advisory Services until further notice)	

### OVERVIEW

The Leave Bank Program is a voluntary program that allows a donor to contribute accrued sick leave to the Leave Bank (the Bank) and a recipient to use donated leave hours from the Bank. Please see the definition of sick leave in the appropriate employee handbook. Employees whose positions are partially or wholly funded by general, University Foundation, or auxiliary funds are eligible to donate and receive leave hours, including:

- Full-time/part-time 9- or 12-month classified staff employees,
- Full-time/part-time 9-, 10-, or 12-month administrative staff employees,
- Or full-time 9-pay or 12-pay faculty employees. (Includes academic year faculty, librarians, and administrators on faculty contract).

A recipient is an employee who is suffering from a serious illness or injury, and who has exhausted her/his own paid leave (vacation, sick, and compensatory time off). Donated leave hours support the continuation of the recipient's normal salary for a longer period of time than would otherwise be possible, thus easing the financial impact of that illness or injury.

The use of any donated leave will run concurrently with an eligible employee's Family Medical Leave (FML), if applicable. Determination of FML is set from the Family Medical Leave policy and can be found at: <http://www.bgsu.edu/offices/ohr/benefits/page11364.html>.

### I. DEFINITIONS:

- A. Serious illness or injury- time away from work due to a serious non-worker's compensation health condition that incapacitates the employee. A serious illness, high risk pregnancy that incapacitates, or injury is defined as a serious illness, injury (non-work related), or physical or mental impairment that is present for more than ten (10) consecutive working days, and is life-threatening or requires a lengthy convalescence.

Serious illness/injury involves:

1. A period of incapacity or treatment connected with inpatient care (e.g., an overnight stay) in a hospital, hospice, or residential medical care facility; or
2. A period of incapacity requiring absence of more than ten (10) consecutive working days, and that also involves continuing treatment by (or under the supervision of) a licensed health care provider; or
3. A period of incapacity due to a chronic serious health condition (e.g., asthma, diabetes, epilepsy, etc.); or
4. A period of incapacity that is long-term due to a condition for which treatment may be ineffective (e.g., stroke, terminal disease, etc.); or

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5. An absence to receive multiple treatments (including any period of recovery there from) either for restorative surgery after an accident or other injury, or for a chronic condition such as cancer or kidney disease.

A period of incapacity means that the employee cannot do her/his job and does not have the ability to perform normal activities in her/his daily life or engage in normal recreational activities. Convalescence means returning to health after illness or incapacity, or gradual healing (through rest) after sickness or injury. Convalescence is a synonym for recovery or recuperation.

B. **Recipient**- An eligible employee (see definition above) who wants to withdraw hours from the Bank must meet **all** of the following criteria:

1. Be eligible to accrue and use sick leave;
2. Be employed in a position that is partially or wholly funded through general, University Foundation, or auxiliary funds;
3. Be suffering from a serious illness or injury/high risk pregnancy that mandates bed rest;
4. Have exhausted all accrued vacation, sick leave, personal leave, and where appropriate, compensatory time, or will do so before the return-to-work date;
5. Not be presently receiving nor has ever received Workers' Compensation benefits for requested condition;
6. Have donated a minimum of eight (8) hours of sick leave annually (i.e., must have donated hours to the Leave Bank in the two consecutive years prior to the date of the request to utilize hours from the Bank)\*  
*\*In the first year of the program, recipients must have donated during the first open enrollment. In the second year, recipients must have donated during the first two years; and*
7. Receive up to a maximum of 240 hours of pay from the Bank, within a calendar year at the employee's appointed percent of time worked, pro-rated on the basis of a full-time equivalent (FTE). For all full-time employees, the FTE is 100%. The hours used up to or including the 240 maximum will not include the utilization of the employee's own accrual that are earned while in active pay status supported by the Leave Bank; such accruals shall be applied to the recipient's pay status each month before leave is applied.

*The recipient will remain anonymous except for administrative purposes.*

C. **Donor**- A BGSU employee who is eligible to accrue and use sick leave accruals may request approval to participate as a donor to the Bank. The donation of leave will be reviewed for compliance with the Leave Program guideline (see Overview). An eligible employee who wants to donate hours must meet **all** of the following criteria:

1. Be eligible as defined in the Overview;
2. Be employed in a position that is partially or wholly funded through general, University Foundation, or auxiliary funds;

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3. Have a minimum and maintain one hundred twenty (120) hours of accrued time (vacation, sick/personal) after having donated hours to the Bank; and
4. Have made donations of sick time in eight (8) hour increments with a maximum of forty (40) donated hours at any one time. Donations are irrevocable.

D. **Donation Enrollment**- Two types of enrollment will allow employees to donate to the Bank:

1. Annual Enrollment- Yearly enrollment offered through the Office of Human Resources (OHR). The enrollment period generally will be held during the spring of each year.
2. Emergency Enrollment- Only to be enacted in situations where the Leave Bank falls below 500 hours. The need for emergency enrollment will be determined by the Leave Committee and the Office of Human Resources. The enrollment period will be advertised and offered through the Office of Human Resources.

## **II. POLICY AND RESTRICTIONS:**

The Leave Bank Program is available on a campus-wide basis for employees whose positions are partially or wholly funded by the general, University Foundation, or auxiliary funds. Donated leave will be recorded on the Leave Enrollment (Donation) Form, thereby allowing said eligible employees to participate in the Leave Program. The Leave Bank is available to all eligible employees (see Overview), regardless of work divisions and/or units.

- A. The Bank will allow eligible employees to donate hours during an annual enrollment period with provisions for emergency donations if the Bank drops below 500 hours.
- B. For the purpose of simplicity and record keeping or auditing, accrued sick leave hours donated shall be transferred hour-for-hour.
- C. Bank withdrawal requests will be processed on a first-received basis. A first-received basis means that all applicable forms are properly completed and received.
- D. Employees in their first year of a leave-accruing position may petition the Leave Bank Committee if they meet all guidelines above save the previous years' donation. Employees who are able to take advantage of the Bank in their first year of employment will be expected to donate the minimum number of hours to the Bank in a subsequent year when the minimum 120 hour leave accrual.
- E. Leave, in combination with the recipient's own paid leave accrual, (which must be exhausted first), may be used to continue University pay status for a recipient for up to 240 hours, not to exceed the recipient's appointed percent of time worked based on the full-time equivalent.
- F. Donations may not drop the donor's leave accrual (to include sick, vacation/personal, and compensatory, if applicable) base below 120 hours.
- G. In compliance with program policy, withdrawals from the Bank made by a designated recipient will cease according to one of the following criteria:
  1. The return-to-work date listed by the doctor on the employee's verification of illness or injury;

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2. The end of the approved leave of absence;
  3. The recipient has received the allowed maximum of 240 hours of donated leave;
  4. The recipient applies for and is approved for state disability retirement or, if eligible, Social Security benefits; or
  5. The separation of service from Bowling Green State University or upon the death of the recipient; or at any time upon request by the recipient.
- H. The unused hours will be returned to the leave bank.
- I. The identity of donors must be held as confidential information.
- J. Leave donations are not tax deductible for the donor.

### **III. POLICY REFERENCES:**

- Administrative Staff Handbook; <http://www.bgsu.edu/downloads/execvp/file11372.pdf>
- Classified Staff Handbook; <http://www.bgsu.edu/downloads/execvp/file11373.pdf>
- Faculty Charter; <http://www.bgsu.edu/offices/facsenate/page471.html>
- Internal Revenue Service, revenue rule 90-29

### **IV. RESPONSIBILITIES AND PROCEDURES:**

- A. Recipient- In the event of severe injury or illness, a family member may act on the recipient's behalf. The recipient/family member will:
1. Consult with the Office of Human Resources for questions about the Bank's guidelines, eligibility criteria, etc.
  2. Follow established campus and/or unit procedures for informing the Office of Human Resources and the employee's supervisor about the use of remaining paid leave or a leave of absence due to the serious illness or injury.
  3. Contact the Benefits Office for consultation regarding benefits related to the University disability and/or benefits program.
  4. Submit the Leave Bank Leave Request Form, along with a doctor's verification of illness or injury, to the Leave Bank Committee, care of the Office of Human Resources, 100 College Park Office Building, Bowling Green, Ohio 43403.
  5. Understand that, in any given pay period, any accrued time in the prior pay period will be applied to pay status before the Bank hours will be applied.

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6. Notify the Office of Human Resources if any change of circumstances has altered or will alter the recipient's eligibility for the Bank hours as originally established.
- B. Recipient's Supervisor- It is the supervisor's responsibility to refer her/his direct reports to their appropriate employee handbook and the Office of Human Resources concerning the availability of the Leave Bank. The supervisor will:
1. Consult with the Office of Human Resources regarding the Leave Donation Program and related considerations, such as: BGSU Family Medical Leave, Personal Leave, accrued sick and vacation leave, payroll time reporting, etc.
  2. Receive a notification of awards that are approved for purposes of time leave reporting for full-time and part-time FTE.
  3. Be responsible for completing employee time reporting to the Payroll Office.
- C. Leave Committee- The Committee will:
1. Consist of seven members: two classified, two administrative, and two faculty representatives, as well as one permanent BGSU staff physician. A chair will be elected from within the six constituent representatives. The Office of Human Resources will have an ex-officio member. There must be a quorum of five committee members present in order to grant or deny Leave Bank hours to any potential recipient.
    - Terms will be limited to three years in duration for each constituent group member. Terms will be staggered among constituent groups. Three representatives, one from each group, are holdovers from the previous year's committee.
    - Members of the Leave subcommittee who assisted in creating this document have met the first of the three-year commitment.
  2. Provide or coordinate consultation with the Office of Human Resources regarding the Leave Donation Program and related considerations, such as: recipient eligibility, payroll, benefits, disability benefits, Family Medical Leave, accrued sick, applicable University policies and procedures, etc.
  3. Meet monthly or, as needed, by request of the committee chair.
  4. Review the facts of all applicants and make decisions whether or not to grant leave hours to those who apply. The decision is forwarded to the Office of Human Resources for dissemination to the appropriate employees.
  5. Coordinate and monitor the Leave Bank totals according to the policies of the program document.
  6. Prepare needed reports in a timely manner.
  7. Ensure the confidentiality and privacy of the participants and records of the Leave Bank in accordance with University policies.
  8. Provide a line of communication to the constituent group representative bodies (ASC, CSC, and Faculty Senate) for an annual evaluation of the guidelines and policies and procedures of the Leave Bank Program.

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D. Donor- The eligible donor will:

1. Have the opportunity at an annual Spring semester enrollment period to donate hours to the Bank by completing the Leave Enrollment (Donation) Form, available at, <http://www.bgsu.edu/offices/ohr/benefits/index.html>.
2. Complete the Leave Enrollment (Donation) Form and submit it to the Office of Human Resources during the enrollment period.

E. Office of Human Resources (OHR)- The Office of Human Resources will support the dissemination of communications advertising the existence of a Leave Bank. This effort will be supported by Administrative Staff Council, Classified Staff Council, and Faculty Senate. The Office of Human Resources will:

1. Ensure the confidentiality and anonymity of all participants.
2. Once verification is received that the donated hours have been applied to the Bank:
  - a) Deduct hours donated to the Leave Bank from the donor's accrual balance.
  - b) Transfer hours from the Leave Bank to the recipient's leave accrual.
  - c) Show the recipient's hours on the electronic pay check.
3. Ensure that all of the paperwork prepared by the Office of Human Resources (OHR) and provided to the Leave Bank Committee will be anonymous by generating specific identification numbers on submitted paperwork utilizing the following format:year\_Leave bank (LB) initials\_sequential numbering, (e.g., 2008\_LB\_001).
4. Reconcile, balance, and report total donations and withdrawals from the Bank to the Leave Bank Committee.
5. Notify the Committee of the current balance of the Bank upon request from the chair of the Leave Bank Committee.