

WEST VIRGINIA STATE UNIVERSITY BOARD OF GOVERNORS

West Virginia State University and the West Virginia State Community & Technical College

BOG Policy #49

Title: Employees' Catastrophic Leave

Section 1. General

1.1 The West Virginia State University Board of Governors utilizes this policy to guide the acquiring, donation and use of catastrophic leave by its eligible employees.

1.2 Authority: HEPC Series 38; WV State Code §18B-9-10.

1.3 Effective Date: March 3, 2006

Section 2. Definitions

2.1 Catastrophic illness or injury is defined as 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;

2.1.1 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;

2.1.2 Immediate family member is defined consistent with HEPC Series 38

2.2 Employee is defined as a classified, non-classified, or 12-month faculty member who accrues sick and/or annual leave as a regular benefits-eligible employee of West Virginia State University (WVSU) or West Virginia State Community & Technical College (WVSCTC).

Section 3. Donating and Receiving Leave

3.1 To become an approved recipient of catastrophic leave, a WVSU or WVSCTC employee must make application to the Director of Human Resources to request establishment of his/her eligibility.

3.1.1 Sick and/or annual leave may be donated to any employee experiencing a catastrophic illness or injury as those terms are defined in Section 2 above;

3.2 Sick and/or annual leave may be donated at the request of the employee upon appropriate verification that the employee is unable to work due to a catastrophic illness or injury as verified by the Director of Human Resources;

3.3 Pending proper approval and written notice to the Human Resources Office, any employee may donate sick and/or annual leave in one-day increments;

3.3.1 Donations will be reflected as a day-to-day deduction from the sick and/or annual leave balance of the donating employee;

3.3.2 No employee shall be compelled to donate sick and/or annual leave.

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

3.5 The use of donated credits may not exceed a maximum of twelve continuous calendar months from any one catastrophic illness or injury;

3.5.1 The total amount of sick and/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;

3.5.2 An employee receiving donations of sick and/or annual leave shall use any personally accrued leave on a monthly basis prior to receiving additional donated sick and/or annual leave.

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

3.7 Any employee as defined in Section 2.2 experiencing catastrophic illness or injury desiring to receive sick and/or annual leave donations may make such a request in writing to the Director of Human Resources;

3.7.1 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;

3.8 The Director of Human Resources will then determine whether the request meets all requirements of the policy and so advise the Office of Administrative Services;

3.8.1 With recipient's written approval, the Director of Human Resources sends notification to all employees.

3.9 Any employee as defined in Section 2.2 within any West Virginia governed institution of higher education or within the Higher Education Policy Commission who wishes to donate accumulated sick and/or annual leave to an approved recipient shall provide written notice of that ~~intent~~ desire to the Director of Human Resources.

3.9.1 If the transfer of sick and/or annual leave is inter-institutional or involves an institution of higher education and the policy commission, the receiving agency pays the employee accepting catastrophic leave for the transferred days.

3.9.2 If the transfer of sick and/or annual leave is inter-institutional or involves an institution of higher education and the policy commission, it is not mandatory that the receiving institution or policy commission accept the transfer.

3.10 The Human Resources Office will maintain a record of the dates that a recipient is approved and written donations are received;

3.10.1 The transfer of catastrophic leave shall not commence until the receiving employee has used all his/her sick and annual leave;

3.10.2 Transfers of sick and/or annual leave time, on a day-for-day basis, will be made in the order written donations are received;

3.10.3 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 and/or annual leave;
- the office responsible for tracking the recipient's accumulated sick and/or annual leave;
- the Human Resources Office file.

3.11 If a donor subsequently changes his/her mind regarding the contribution of catastrophic leave, written notice of this change must be in writing and made within 15 days of the original letter of intention.