

3341-5-18 Leave Bank Program.

Applicability	All BGSU Faculty and Staff
Responsible Unit	Office of Human Resources
Policy Administrator	Chief Human Resources Officer

(A) Policy Statement and Purpose

The Leave Bank Program is a voluntary program of paid leave given to an eligible employee that allows them to remain in a paid status while recovering from or being present for a qualifying family member who is affected by a serious/severe illness or injury.

The Leave Bank Program allows an eligible donor to contribute accrued sick leave to the Leave Bank (the Bank) for the benefit of recipients who want to withdraw from the Bank.

A recipient is an employee who (or whose family member) is suffering from a serious illness, injury, or other qualifying event as defined in this policy, and who has exhausted their own paid leave (vacation, sick and compensatory time off) and requested to withdraw leave hours from the Bank. Donated leave hours support the continuation of the recipient's normal salary for a longer period than would otherwise be possible, thus easing the financial impact of that illness or injury.

To ensure confidentiality, when a recipient qualifies to withdraw from the Bank, the recipient will remain anonymous to the members of the Leave Bank Committee and any questions are to be directed to the Director of Human Resources and Benefits or designee.

The use of any donated leave will run concurrently with a recipient's Family Medical Leave (FML), if applicable.

(B) Policy Definitions:

- (1) Donor: An eligible employee who wants to donate hours to the Bank and who meets all of the following criteria:
 - (a) Is eligible to accrue sick leave;
 - (b) Is employed in a position that is partially or wholly funded through general, university foundation, or auxiliary funds;
 - (c) Has a minimum of and will maintain one hundred twenty hours of accrued sick time (prorated on the basis of a full time equivalent of seventy-two hours - equal to a FTE) after having donated hours to the Bank; and
 - (d) Has made donations of sick time in eight-hour increments (or on a prorated basis for eligible part time staff) with a maximum of forty donated hours at any one time. Donations are irrevocable.
- (2) Donation Enrollment: The following two types of enrollment will allow employees to donate to the Bank.
 - (a) Annual Enrollment: Yearly enrollment offered through the Office of Human Resources (OHR). The enrollment period will be held during the month of February.
 - (b) Emergency Enrollment: Only to be enacted in situations where the Bank falls below five hundred hours. The need for emergency enrollment will be determined by the Office of Human Resources.
- (3) Eligible Employee: Employees whose positions are partially or wholly funded by general, university foundation, or auxiliary funds

(not grant funded) may donate to or receive leave hours from the Bank. Eligible employees include the following:

- (a) Full-time/part-time nine- or twelve-month classified staff employees,
 - (b) Full-time/part-time nine-, ten-, or twelve-month administrative staff employees, and
 - (c) Full-time nine-pay or twelve-pay faculty employees, including those faculty represented by a bargaining agreement, as well as librarians and faculty on administrative contracts.
- (4) Family member: a recipient's parent, legal spouse, child of any age, legal dependent, and any person under the employee's legal guardianship
- (5) Recipient: An eligible employee who wants to withdraw hours from the Bank and who meets all of the following criteria:
- (a) Is eligible to accrue and use sick leave;
 - (b) Is employed in a position that is partially or wholly funded through general, university foundation, or auxiliary funds;
 - (c) Is suffering from or has a family member suffering from a serious illness or injury;
 - (d) Has exhausted all their accrued vacation, sick leave, personal leave, and where appropriate, compensatory time, or will do so before the return-to-work date;
 - (e) Is not presently receiving Workers' Compensation benefits for requested condition;
 - (f) Has donated a minimum of eight hours based on FTE's of sick leave in one of the last two enrollment periods prior to submitting a request to use hours from the Bank or has

utilized all accrued paid leave balances as a result of the onset of a catastrophic illness/accident of self or defined family member, and

- (g) Who will remain anonymous except for administrative purposes.
- (6) Serious illness or injury: a serious health condition (not covered by Worker's Compensation) that incapacitates the employee; or required care and assistance for a family member with a documented medical condition that is life-threatening or requires a lengthy convalescence.

Serious illness/injury involving an employee or a family member is further defined as:

- (a) A period of incapacitation or treatment when an employee cannot do their job and does not have the ability to perform normal activities due to serious illness/injury and is connected with inpatient care (e.g., an overnight stay) in a hospital, hospice, or residential medical care facility; or
- (b) A prolonged absence requiring ten or more consecutive working days, and that also involves continuing treatment by (or under the supervision of) a licensed health care provider; or
- (c) A period of incapacity due to a chronic serious health condition (e.g., asthma, diabetes, epilepsy, etc.); or
- (d) 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
- (e) An absence to receive multiple treatments or testing requiring a period of recovery, e.g. either for restorative surgery after an accident or other injury, or for a chronic condition.

(C) Policy and Restrictions

The Leave Bank Program is available on a campus-wide basis. Donated leave will be recorded on the online Leave Bank Enrollment (Donation) Form.

- (1) For the purpose of simplicity and record keeping or auditing, accrued sick leave hours donated shall be transferred hour-for-hour.
- (2) Withdrawals from the Bank made by a designated recipient will cease according to one of the following criteria:
 - (a) Upon the return-to-work date listed by the doctor on the employee's or employee family member's verification of illness or injury. Please note: The Leave Bank Committee has authority to award hours (not to exceed the total maximum allowed two hundred forty hours) to assist in a recipient's or recipient's family member's gradual recovery and transition back to the full number of hours for the specific position. If not able to return to work to full hours of the job, these awarded hours can be used for a maximum of two consecutive weeks after the stated return-to-work date.
 - (b) The recipient has received the allowed maximum of two hundred forty hours of donated leave within one calendar year;
 - (c) The recipient applies for and is approved for state disability retirement or, if eligible, Social security benefits; or
 - (d) Upon separation of service from Bowling Green State University or upon the death of the recipient; if either of these events occurs, the donated hours in the recipient's sick leave accrual will be returned to the Bank.
- (3) Exception: Employees in their first two years of a leave-accruing position may petition the Leave Bank Committee if they meet all guidelines of the policy except for the required sick leave

donation. Inquiries regarding this exception may be directed to the Director of Human Resources and Benefits or their designee.

(D) Responsibilities and Procedures:

(1) The recipient (or a family member acting on the recipient's behalf) will:

- (a) Submit the Leave Bank Withdrawal Request Form, along with a doctor's verification of illness or injury, and proof of relationship status (e.g. copy of birth certificate or court order), if not on file, to the Office of Human Resources.
- (b) 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.

(2) The Leave Bank Committee will:

- (a) Consist of eight members: two classified, two administrative, two faculty representatives, and one permanent BGSU staff physician (as designee). 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 four of the six constituent members present in order to grant or deny Leave Bank hours to any potential recipient. Committee members will be appointed/elected by the classified staff council, Administrative Staff Council, and BGSU Faculty Association respectively.
 - (i) 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.
 - (ii) If any committee members become aware of the identity of a potential recipient, they should recuse themselves from participating in the decision process for that case.

- (b) Review the facts of all applicants and make decisions to whether or not to recommend leave hours to those who apply. The recommendation is forwarded to the Office of Human Resources for approval and dissemination to the appropriate employees.
 - (c) Coordinate and monitor the Bank totals according.
 - (d) Prepare needed reports in a timely manner.
 - (e) Ensure the confidentiality and privacy of the participants and records.
 - (f) Provide for an annual evaluation of the guidelines and policies and procedures of the Leave Bank Program.
- (3) The Office of Human Resources will support the dissemination of communications advertising the existence of a Leave Bank Program. This effort will be supported by Administrative Staff Council, Classified staff council, and BGSU Faculty Association.

Registered Date: October 9, 2018

Amended Date: December 14, 2018

FAQs – Frequently Asked Questions concerning the Leave Bank

1. Q: What is the Leave Bank?

A: A program to which eligible employees may donate sick leave or withdraw sick time from as needed should a serious illness or accident leave an employee unable to work. This would keep the affected employee in a paid status after utilizing his/her own leave balances.

2. Q: Who is eligible to donate or withdraw from the leave bank?

A: All full time and part time classified (including bargaining unit employees) and administrative staff, and full time faculty who are not wholly grant-funded.

3. Q: What is a serious illness or injury?

A: It is clearly defined within the policy with multiple points. Please refer to the policy for a full explanation.

4. Q: How is it decided if someone would receive leave bank hours? And how will withdrawal requests be approved?

A: A leave bank committee with two representatives from each constituent group (Classified, Administrative and Faculty), a member from HR and a physician will review all requests for withdrawing hours from the leave bank and approve/disapprove request based on criteria.

Parameters to guide decisions would include at least the following:

- 1) Satisfies the definition of leave
- 2) Minimum of 500 hours in the Bank
- 3) Arrival date of all paperwork properly completed

5. Q: How will an employee be notified if they are able to receive hours from the bank?

A: An employee will receive a letter as to the committee ruling on the request for donated hours. If approved the hours withdrawn from the leave bank will be placed into their sick leave balance.

6. Q: What is the benefit of this program to a donor who has a significant amount of accrued sick time (over 500 hours)?

A: The real benefit in this program is in the giving of hours to community members who are suffering a severe illness/injury. No one can predict when we might find ourselves suffering a severe illness/injury.

7. Q: What is the requirements to withdraw from the leave bank?

A: Employees must have donated a minimum of eight (8) hours of sick leave to the Leave Bank in one of the last two years prior to the date of the request to utilize hours from the Bank.

Exceptions to withdrawing hours from the bank may be made within the first year of the bank.

8. Q: Why can't staff who are wholly grant funded, participate?

A: Most grants do not allow monies going to individuals not working on the grant.

- 9. Q: What are some of the parameters of donating hours to the bank?**
A: During the enrollment period, donations must be made in 8 hour increments. The donor must have a remaining balance of 120 hours of sick leave for full time employees and 72 hours after donation for part time employees.
- 10. Q: Can an eligible employee donate additional hours to the bank once the enrollment period is over?**
A: No
- 11. Q: When does the enrollment period start/end?**
A: The first enrollment period will be in held in February. Subsequent enrollment periods will be held in the spring semester of each year. Emergency enrollments will be held as needed.
- 12. Q: What are the maximum hours that an employee can donate during an enrollment period?A:**
40 hours.
- 13. Q: What are the maximum hours that an employee can receive from the bank?**
A: 240 hours in any calendar year.
- 14. Q: If a staff/faculty member is fully incapacitated and unable to process paperwork, how can they request for additional sick leave hours?**
A: Family members may make the request on behalf of the employee with assistance from the Office of Human Resources.
- 15. Q: What happens if the Leave Bank hours drop below the minimum of 500 hours?**
A: An emergency enrollment donation period would be conducted.
- 16. Q: Does an employee have to notify their supervisor that they are applying for hours through the leave bank?**
A: No
- 17. Q: Will the supervisor see any of the employee's medical records?**
A: No, medical records are protected by federal law through HIPAA (Health Insurance Portability and Accountability Act).
- 18. Q: Can the leave bank committee contact the healthcare provider about an employee's serious health condition?**
A: All requests to the leave bank committee are anonymous. If the committee requests clarification of any points, the Office of Human Resources will contact the faculty or staff member for more information.
- 19. Q: How does an eligible employee request hours from the leave bank?**
A: Through the leave request form. See the leave request form and procedures of the leave bank for further details.

20. Q: How many times can an eligible employee request hours from the bank?

A: Requests cannot exceed 240 hours in any calendar year. Policy does not stipulate how many times employees can access.

21. Q: Are the hours tracked?

A: All hours are monitored and tracked.

22. Q: How long does an employee have to be employed by BGSU to request hours from the bank?

A: Normally, an employee has to donate in the last two years to be eligible, as well as having 120 hours of sick leave. The leave bank committee will consider special requests from those new hires not able to donate yet.

23. Q: Does the donation of hours affect any of the retirement programs?

A: No

24. Q: Does the withdrawal of hours from the leave bank affect any retirement programs of the recipients?

A: If you receive a donation your and BGSU's contribution will continue to the retirement plan.

25. Q: How are donated hours used?

A: Donated hours will be distributed as follows:

- Full-time employees - Donated hours will equal 40 hours a week until hours exhaust.
- Part-time employees – Donated hours will be based on standard hours per week.

26. Q: What happens to unused leave bank hours by recipients?

A: The unused leave hours will automatically return to the leave bank.

27. Q: What if a leave bank recipient is not able to return to work once he/she has used the awarded 240 hours?

A: An employee would need to work with their supervisor and the Office of Human Resources.

28. Q: How often does the leave bank committee meet?

A: The leave bank committee meets as needed to review requests for withdrawal from the bank.

