

NEW MEXICO SCHOOL FOR THE BLIND & VISUALLY IMPAIRED	SUBJECT: NO.460 Catastrophic Leave Bank
Effective Date: 05/27/94	Revised: 06/21/01; 9/6/12; 2/21/13; 4/24/14
Distribution: All Staff	Kind: Board Policy

GENERAL PURPOSE

The purpose of the Catastrophic Leave Bank is to assist employees who earn sick leave from the school and have suffered a catastrophic illness or injury (excluding normal pregnancy) or member of the employee's immediate family that requires hospitalization or home confinement.

DEFINITIONS

CATASTROPHIC ILLNESS/INJURY means a medical condition (excluding normal pregnancy) of an employee or immediate family member as certified by a physician that requires an employee's absence from duty for a prolonged period of time and that results in a substantial loss of income to the employee because of the exhaustion of all earned sick and annual leave time.

IMMEDIATE FAMILY MEMBER means individuals living within the employee's household and/or within the following relationships; spouse, children, grandchildren, parent, grandparent, brother or sister as well as a parallel relationship established by marriage.

CATASTROPHIC LEAVE means paid leave which is transferred to a leave recipient from the New Mexico School for the Blind & Visually Impaired (NMSBVI) catastrophic leave bank.

CATASTROPHIC LEAVE BANK means pool of accrued leave voluntarily donated by employees of the NMSBVI.

CATASTROPHIC LEAVE BANK PROGRAM means a program approved by the Board of Regents and administered by the superintendent's designee.

CATASTROPHIC LEAVE COMMITTEE means a committee comprised of the Human Resources Director, a Program Coordinator, Health Services Manager and the Superintendent who review applications from employees for catastrophic leave.

EMPLOYEE means a person who is regularly employed in a position of the school who is compensated on a full time basis and who is eligible to participate in the school's fringe benefits program and who voluntarily contributes annually to the catastrophic leave bank.

CATASTROPHIC LEAVE COMMITTEE

The committee will be comprised of the Human Resources Director, a Program Coordinator, Health Services Manager and the Superintendent who review applications from employees for catastrophic leave. Committee recommendations require the presence of all members. No committee member shall cast a vote where there is an obvious conflict of interest or if the request comes from that member's same department or division. All decisions must have a majority, or in the event of a tie the final decision will be that of the superintendent.

The charge of the committee shall be:

- a. review of catastrophic leave requests
- b. determination of eligibility

CATASTROPHIC LEAVE COMMITTEE GUIDELINES

The committee shall utilize the following guidelines to review catastrophic leave requests:

- a. Each eligible employee has the option of contributing earned sick leave days to the Catastrophic Leave Bank of two (2) days per year. Only those employees voluntarily contributing annually to the bank will be able to utilize it.
- b. Enrollment into the bank will be conducted annually commencing with the beginning of the school year through November of each year. A minimum balance of fifty (50) days will be maintained in the bank. Should the balance fall below fifty (50) days, the committee has the option of requesting another day of sick leave from participating members after the members have been notified. All employees, as well as new employees have the option to join and are given through the end of November to donate the time.
- c. Sick days donated to the Catastrophic Leave Bank by an employee can no longer be used by the donating employee for any purpose. Sick leave days donated to the bank but unused by the end of any contract year shall accumulate from year to year.
- d. In no case shall catastrophic leave be granted beyond the date the physician certifies that the employee is able to return to work.
- e. Applications may be made for a maximum of twenty (20) working days (4 weeks) per incident. Any and all unused sick leave days granted to an employee shall be returned to the Catastrophic Leave Bank. Employees may apply to the catastrophic sick leave bank up to a maximum of 2 times per year. Only one application per injury or illness is permitted. Catastrophic leave requests in excess of the balance in the Catastrophic Leave Bank shall not be approved.
- f. All applications will be coordinated through Human Resources. The supervisor within the employee's department will be notified of the request. Applicants will be notified in writing by the Catastrophic Leave Bank Committee of the disposition of their request.

Requests for use of the Catastrophic Leave Bank days must be in writing on a form provided by the committee. The form must be signed by the employee or in the event of incapacitation, by his/her designee and must include verification from the attending physician. The committee may require a second opinion from another physician at its discretion, and at the employee's expense. The committee shall maintain confidentiality.

- g. The decision of the superintendent shall be final and binding. Nothing however, shall prevent the superintendent from taking into account the impact on NMSBVI operation in granting or denying catastrophic leave or in modifying previously approved leave which would seriously impact the school's operation.

PROHIBITION OF COERCION

No one may directly or indirectly intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any other employee for the purpose of interfering with any such employee with respect to donating, receiving or using annual or sick leave.

GENERAL RULES OF OPERATION

- a. Eligible employees on catastrophic leave may be granted leave only in normal work day increments.
- b. Catastrophic Leave may not be used for less than four (4) consecutive work days.
- c. No employee shall be eligible to be awarded catastrophic leave unless all accrued annual and sick leave time have been exhausted.

- d. No employee shall be eligible for catastrophic leave when the illness or injury is covered by Workers' Compensation, Short-term disability (STD), or Long-term disability (LTD) benefit.
- e. Eligible employees on catastrophic leave will continue to accrue leave in accordance with existing leave policies and will receive normal benefits such as the NMSBVI contributions to insurance and retirement. Accrued leave will be used as earned.
- f. No employee is eligible to receive catastrophic leave unless the employee has voluntarily donated two (2) days per year. If an employee has been disciplined for any leave abuse during the past two (2) years of employment catastrophic leave may be denied.
- g. Employees on catastrophic leave will continue to draw their normal rate of pay.