

TRUMAN STATE UNIVERSITY

Medical Leave Bank Procedure December 2006

Purpose

The purpose of the Medical Leave Bank (Bank) is to provide additional paid medical leave for employees who have exhausted their accrued medical and vacation leave benefits as the result of their own catastrophic illness or the need to care for a spouse, child or parent who is suffering from a catastrophic illness. The Bank serves as a depository into which participating employees may voluntarily contribute leave for allocation to other participating employees. The following procedures are in line with the Board of Governors Policy 10.060.3.4. - Medical Leave Bank Program

Definitions

Catastrophic Illness: A Catastrophic Illness is defined as a serious health condition of an employee or the employee's spouse, child or parent which requires the employee's absence from duty for a prolonged period of time leading to the exhaustion of the employee's entire earned medical leave, annual vacation leave, and compensatory leave time. In order to be defined as catastrophic, an illness must be seriously incapacitating, of extended duration, and be certified by a physician.

Member: A member is an Eligible Employee who has voluntarily contributed leave (medical or vacation) to the Medical Leave Bank. Only Bank Members may apply for and receive paid medical leave days from the Bank.

Medical Leave Bank (Bank): The Medical Leave Bank (Bank) is a pool of leave days (medical or vacation) voluntarily donated by eligible Truman State University employees. The Medical Leave Bank provides paid medical leave to Bank Members who meet the eligibility requirements. Contributions to and disbursements from the Bank will be measured in "days" for the purposes of the employee benefit. For accounting purposes, University staff will convert donations and use of Bank days to salary dollars.

Bank Administration Committee: The Bank Administration Committee is the decision-making body that acts upon all applications for paid medical leave from the Bank.

Bank Appeals Committee: The Bank Appeals Committee is the decision-making body that acts upon appeals of Bank Administration Committee decisions.

Open Enrollment: Open Enrollment is held annually from June 1 to June 30. This is a period of time when Eligible Employees are given the opportunity to join the Bank and current Members are allowed to renew membership. In order to remain a member in

good standing, current Bank Members must continue to make annual voluntary contributions; the University may offer Eligible Employees the option of an automatic renewal provided other eligibility requirements are met.

Special Contribution Period: The Special Contribution Period is a period of time where Members and eligible employees may be asked to voluntarily contribute additional hours (medical or vacation) to the Bank if the Bank needs to be replenished between Open Enrollment periods.

Eligible Employees: Eligible Employees include non-faculty employees of the university who earn leave balances (medical and vacation), have been employed at the university for a period of one year or more, have worked 1,250 hours or more over the previous twelve months, and will have a minimum of 10 medical leave days and 5 vacation days after the initial donation has been made to the Bank. These eligibility criteria shall also be applicable to renewal membership with the exception that minimum leave balances shall not be applicable to renewals provided the employee has at least one day to donate to the Bank, and there is no break in Bank membership.

Bank Operation

The Bank will become operational when Eligible Employees voluntarily contribute one or more leave days (medical or vacation leave) during an initial Open Enrollment period designated by the President. Contributing a leave day (medical or vacation) establishes membership in the Bank for an Eligible Employee as well as his/her eligibility to apply for withdrawal of leave days from the Bank.

Membership Eligibility, Obligations, Limitations: Membership in the Bank is open to all Truman State University non-faculty employees who earn leave balances (medical and vacation), have been employed at the university for a period of one year or more, and have worked 1,250 hours or more over the previous twelve months.

Membership in the Bank begins upon the employee's original donation of at least one day of leave (medical or vacation) during an Open Enrollment period and continues from year-to-year with the annual donation of leave until/unless the Member submits a revocation form to discontinue membership. Membership is discontinued upon a Member's termination of employment, retirement, death or failure to donate a leave day (medical or vacation) the following fiscal year. No payment of benefits will be made to survivors, and members must waive all claims to leave (medical or vacation) that is voluntarily donated to the bank, including any monetary or retirement-related value the days may hold.

Voluntary Donation Requirements and Restrictions: Upon initially joining the Bank, donors must have a minimum balance of 10 medical leave days and 5 vacation leave days left after making a donation. This requirement does not apply to renewals providing

there is no break in membership for one year to another. Additional donations of leave time (medical or vacation) to the Bank may be made at any time; however, donations occurring outside of the Open Enrollment period do not qualify the employee for membership.

Donors may not designate a particular individual to receive donated leave. Members must donate at least 8 hours of medical leave or 8 hours of vacation leave (pro-rated for less than full-time employees) during the annual Open Enrollment period to remain active in the Bank. The maximum annual donation of leave time which can be made by any Eligible Employee is 40 hours of medical or vacation leave.

Requirements and Restrictions for Withdrawals from the Bank: The Bank is available to Members who have completely exhausted all earned medical leave, vacation leave, and compensatory time and who are not receiving disability or Workers' Compensation. Use of leave from the Bank will occur before any extended leave benefits are granted under Chapter 10 of the Board of Governors Code of Policies 10.060.1—Extended Medical Leave.

A Member or his/her designee must submit the application for leave from the Bank to Human Resources not later than 20 working days after the Member's personal leave time (medical, vacation and compensatory) has been exhausted. An application must be accompanied by a statement from a physician that includes the beginning date of the condition, a description of the illness or injury, and a prognosis for recovery. Requests must indicate the estimated number of medical days required; requests for withdrawals of fewer than 5 days will not be considered.

Leave requests will be reviewed and determined by the Bank Administration Committee, but approved leave cannot exceed one-third of the days in the bank or 20 days per member for a 12 month period, whichever is less. The Bank Administration Committee will render a written decision to the Member within 7 working days after receipt of a complete application.

Leave from the Bank may be used only during the time the Member is an employee. Any unused medical leave granted through the Bank will be returned to the Bank, not retained by the Member. Use of leave from the Bank is subject to the provisions of the Family Medical Leave Act (FMLA). If applicable, leave from the Bank will run concurrently with and will be included in the twelve weeks of leave provided under the FMLA.

Maintenance of a Balance of Leave Days in the Bank: The Leave Bank must maintain a positive balance of leave days to remain in operation. In the event the Bank exhausts the days that have been donated, it shall suspend operation until the next available Open Enrollment period unless a Special Contribution period as defined in this section is authorized.

Whenever days remain in the Bank at the end of any fiscal year, the unused days will be carried over to the next fiscal year. If the Bank should run out of leave days, a Special

Contribution Period may be opened if authorized by the President of the University. In this event, members and eligible employees will be given an opportunity to voluntarily contribute additional leave time (medical or vacation) to the Bank outside the Open Enrollment period.

Bank Administration Committee

Committee Membership and Constraints: The Bank will be administered by a six member Bank Administration Committee appointed by the University President with the following composition which will represent a demographic cross-section of the non-faculty work force:

- a) One administrative representative;
- b) One contract representative (non-union);
- c) One hourly representative (non-union);
- d) One Staff Council representative;
- e) One Physical Plant representative (union or non-union); and
- f) Human Resources representative (non-voting chair).

Initially, three Bank Administration Committee members will serve one-year terms and two Bank Administration Committee members will serve two-year terms. No member may serve more than two consecutive terms.

Committee Responsibilities and Guidelines: Three voting members shall constitute a quorum, and meetings may be held in person, by conference call or through electronic communication.

Member applications for Bank leave will be approved or denied by the Bank Administration Committee. An application for Bank leave will be denied if it is incomplete, or if the Member fails to provide requested documentation to Human Resources. A Member may resubmit the application when it is complete or additional documentation is provided.

The Committee may not grant Bank leave days when the Bank does not have available days to make the grant nor exceed the maximum number of leave days allowed. Members of the Bank Administration Committee may not vote on an application of their own or that of a relative.

Bank Appeals Committee

Committee Membership and Constraints: The Bank Appeals Committee shall hear appeals from Bank Members regarding actions of the Bank Administration Committee. The Bank Appeals Committee will consist of three members appointed by the University President and comprised of the following:

- a) One administrative representative;
- b) One contract representative; and
- c) One hourly representative.

Initially, two committee members will serve one-year terms and one committee member will serve a two-year term. No member may serve more than two consecutive terms. The University President will appoint one of the three committee members to serve as Chair of the Committee.

Committee Responsibilities and Guidelines: Two members shall constitute a quorum, and meetings may be held in person, by conference call or through electronic communication.

The Bank Appeals Committee shall provide final determinations on Member appeals when a request has been denied by the Bank Administration Committee. Members may appeal decisions made by the Bank Administration Committee by submitting a written appeal to the Bank Appeals Committee via the Human Resources Office within 20 working days of the receipt of the denial from the Bank Administration Committee.

The Bank Appeals Committee response shall be in writing to the Member and shall be provided within 7 working days of the date of the appeal. Members of the Bank Appeals Committee may not vote on any appeal of their own or that of a relative.

University Administrative Support and Responsibilities

Truman State University shall support the Medical Leave Bank and its associated committees in the following manner.

Responsibilities of the Human Resources Office: Human Resources will be responsible for convening the Bank Administration Committee, coordinating the annual Open Enrollment period, processing applications, and maintaining appropriate records. Human Resources will also serve as a liaison among the Members, the Bank Administration Committee, Bank Appeals Committee, university administration, and supervisors of Members. It will be the responsibility of Human Resources to monitor and report periodically to the University President and Staff Council the Bank's status based on the monetary value of the days donated and days used. Human Resources will not release confidential information submitted as a part of the application or appeal process.

Responsibilities of Member's Supervisors: The Member's supervisor will approve the Member's request(s) for medical leave in accordance with University policy, including those requests involving the use of leave from the Bank. The Member's supervisor will ensure that attendance and leave documents for the Member using leave from the Bank are properly reported to the Payroll Office.

Annual Leave Bank Evaluation

In consultation with Staff Council and the Bank Administration Committee, the Human Resources Office will be responsible for submitting an annual evaluation of the Leave Bank program to the University President that outlines usage for the past fiscal year, evaluates costs associated with the program, and makes appropriate recommendations for improvement. The following must be included as a part of the annual report:

- a) Number of full-time equivalent (FTE) medical and vacation days donated to the Bank;
- b) Number of full-time equivalent (FTE) days granted from the Bank;
- c) Dollar value of days granted based on the salary of the donor;
- d) Dollar value of days used based on the salary of the recipient;
- e) Number of full time equivalent (FTE) days in the Bank at the end of the year to roll over; and
- f) Dollar value of days in the Bank at the end of the year to roll over.

Points of Contact

Questions and/or concerns with the Bank program and Board policy should be addressed to Curt Devan, director of human resources, at devanc@truman.edu, or Lori Gray, benefits coordinator, at logray@truman.edu.