

Town of North Hempstead

CATASTROPHIC LEAVE BANK PROGRAM POLICY

1. Purpose

This policy establishes a catastrophic leave bank program to be administered by a designated catastrophic leave bank committee. The catastrophic leave bank program policy is not intended to create any expectation or promise of continued employment with the Town of North Hempstead, and is intended solely to assist eligible employees during catastrophic medical emergencies as defined herein. The catastrophic leave program policy shall not be construed to extend any employment beyond the time such employment might otherwise terminate, or be eligible for termination, by operation of law, rule, regulation, nor shall it prohibit or restrain the exercise of managerial discretion to terminate such employment pursuant to law, rule or regulation.

2. Eligibility Requirements for Catastrophic Leave

- A. A candidate for catastrophic leave benefits (hereinafter "benefits") must be a full-time permanent employee of the Town of North Hempstead with a minimum of one year of uninterrupted employment prior to application for such benefits. Part-time or seasonal employees are not eligible to participate as a donor or recipient in the catastrophic leave bank program.
- B. A candidate for benefits must have exhausted all sick, vacation, personal and compensatory time prior to eligibility for benefits.
- C. If the catastrophic medical emergency arises from an employment-related injury or illness, the compensation received by the employee from the catastrophic leave bank, together with the compensation received from workers compensation, if any, shall not exceed the compensation received by the employee at the onset of the illness or injury.
- D. No employee shall be eligible for catastrophic leave benefits for a period in excess of six (6) months without re-evaluation by the Leave Bank Committee.
- E. In no case shall the employee be granted catastrophic leave beyond the date certified by a physician as the date when the employee is able to return to work.
- F. No employee shall be approved for catastrophic leave benefits unless that

employee has provided acceptable medical certification from a treating physician supporting the continued absence and setting forth that the employee is, and will continue to be, unable to perform any of the functions or responsibilities of his/her job, even on a restricted or light-duty basis, due to the catastrophic injury.

- G. Catastrophic leave benefits shall be awarded by the Supervisor, acting upon recommendation of the Leave Bank Committee. In rendering his determination, the Supervisor may also consider as an additional factor whether the employee had been disciplined for leave abuse during the two (2) years preceding the onset of illness or injury.
- H. Eligibility for catastrophic leave benefits is expressly contingent upon the availability of a sufficient balance in the Catastrophic Leave Bank.
- I. For purposes of this program, the following definitions apply:

Catastrophic Leave Bank means a pool of accrued vacation and sick leave voluntarily donated by employees which may be approved for use by employees who meet catastrophic illness/injury eligibility requirements.

Catastrophic Injury or Illness means a medical condition of an employee, as certified by a treating physician, that requires an employee's absence from duty for a prolonged period of time and which, except for the catastrophic leave program, would result in a substantial loss of income to the employee because of the exhaustion of all earned sick, personal, vacation and compensatory leave.

Prolonged Period of time means a continuous period of time (minimum of fifty working days) whereby a medical condition prevents the employee from performing any of the functions or responsibilities of his/her job even on a restricted or light-duty basis.

Medical Condition means a personal emergency limited to catastrophic and debilitating medical situations, severely complicated disabilities and/or severe accidents of the employee which cause the employee to be unable to perform any of the functions or responsibilities of his/her job, even on a restricted or light-duty basis, require a prolonged period of recuperation, and require the employee's absence from duty as documented by a treating physician .

Substantial Loss of Income means the loss of income to an employee suffering from a catastrophic injury or illness and who has exhausted all vacation, sick and compensatory time.

- J. An employee receiving catastrophic leave benefits shall not accrue sick, vacation or personal leave during the period of receipt of such benefits.

3. Donations to the Catastrophic Leave Bank

- A. Full time employees may donate up to two sick days and two vacation days to the Leave Bank per year.
- B. To be eligible as a sick day donor, the potential donor must have a balance of 15 sick days remaining after the acceptance by the Leave Bank of the proposed sick day donation.
- C. To be eligible as a vacation day donor, the potential donor must have a balance of 7 vacation days remaining after the acceptance by the Leave Bank of the proposed vacation day donation.
- D. Donations to the Leave Bank are irrevocable.
- E. Donations to the Leave Bank are made expressly to the Leave Bank. Donors may not designate recipients of the donated leave.
- F. Donations to the Leave Bank shall be credited to the Bank at the Donor's rate of pay and shall be withdrawn at the donee's rate of pay.
- G. Applications for donations shall be completed on a form supplied by and returned to the Department of Finance. The Department of Finance shall determine donor eligibility, shall approve or disapprove of said donations in accordance with the criteria herein, shall credit the Leave Bank accordingly, and shall make the appropriate adjustments to the donor's accumulated leave totals.

4. Leave Bank Committee

- A. The Leave Bank Committee shall be the Labor Management Committee.
- B. The function of the Leave Bank Committee shall be to evaluate applications for catastrophic leave against the criteria contained herein, and to advise the Supervisor whether, in the Committees' opinion, the application meets the criteria. The Leave Bank Committee need not meet to consider the application, and may vote on its recommendation by conference call or other means. A split vote is the equivalent of a negative recommendation.
- C. Applications for catastrophic leave shall be reviewed on a first filed, first reviewed

basis. Approval does not guarantee that a catastrophic leave applicant will receive leave should there be an insufficient balance in the Leave Bank.

- D. The Supervisor's determination shall be final and binding upon all parties.
- E. Catastrophic leave which would result in a negative balance in the Leave Bank may not be approved.
- F. In the event that an employee on catastrophic leave is terminated, dies, retires or returns to work prior to expiration of previously approved catastrophic leave time, all unused catastrophic leave shall be returned to the Leave Bank.

5. Prohibition of Coercion

No employee shall, directly or indirectly, be threatened, coerced, or intimidated by another employee or group of employees with respect to donating, receiving or using catastrophic, vacation or sick leave. Any report of such described instances shall be reported in writing to the Town Attorney and investigated thoroughly. Appropriate disciplinary action may be taken for any substantial violation.



ACKNOWLEDGEMENT FORM
CATASTROPHIC LEAVE PROGRAM POLICY

The following form is provided by Town of North Hempstead Finance / Human Resource Department for acknowledgement of Catastrophic Leave Program Policy. By: HRB

I acknowledge receipt of, and understanding of

“THE TOWN OF NORTH HEMPSTEAD CATASTROPHIC LEAVE PROGRAM POLICY”

Employee Signature

Employee Name (Please Print)

Department

Please Return to the Finance Department



TOWN OF NORTH HEMPSTEAD
CATASTROPHIC LEAVE PROGRAM

PART I - To be completed by employee.

Name _____ Employee ID # _____

Department _____

Work Address _____

(City) _____ (State) _____ (Zip) _____

Work Phone _____

Donations must be made in day increments. Classified employees donating vacation leave must have at 7 days of accrued vacation leave after the donation is made. Classified and unclassified employees donating sick leave must have at least 15 days of accrued sick leave after the donation is made, unless donating at the time of separation from state service.

Please indicate the type and amount of leave to be donated:

Vacation Leave Days Donated: _____
Maximum 2

(Name) _____ (SSN) _____ (Agency or Department) _____

Sick Leave Days Donated: _____
Maximum 2

(Name) _____ (SSN) _____ (Agency or Department) _____

I understand that my donation is voluntary and confidential. I understand that my leave balance will be decreased by the amount contributed, and that my contribution will not affect my eligibility for sick time buy back. Contributions to the Catastrophic Leave Bank can be made anytime during the year assuming qualifying criteria is met. I have received and read the Town Catastrophic Leave Policy.

Employee Signature _____ Date _____

PART II - To be completed by the Division of Finance/Human Resources.

Will the above-named employee's vacation leave balance be below 7 days if the above-mentioned number of vacation leave days are donated? Yes _____ No _____

Will the above-named employee's sick leave balance be below 15 days if the above-mentioned number of sick leave days are donated? Yes _____ No _____

The donating employee's current salary is _____

Is the donating employee terminating? Yes _____ No _____ If so, retiring or resigning?

Finance/Human Resources Commissioner _____ Date _____