I. POLICY

Salt Lake Community College provides a Sick Leave Pool for eligible employees who suffer a catastrophic illness, injury, impairment, or physical or mental condition which requires hospitalization and/or convalescence or recuperation in an extended care facility or at home while under the care of a licensed health care provider.
I. REFERENCES

A. SLCC Policy Chapter 2, Section 2.01, Employee Definitions and Categories

B. SLCC Policy Chapter 2, Section 4.08, Sick Leave

C. SLCC Policy Chapter 2, Section 4.13, Family and Medical Leave

D. SLCC Policy Chapter 2, Section 4.01, Employee Benefits Eligibility

II. DEFINITIONS

A. Family Member. An eligible employee’s spouse, domestic partner, child, or parent, as defined by the Family and Medical Leave Act (FMLA).

B. Domestic Partner. A person with whom the employee meets the following criteria: (a) both are at least 18 years of age or older; (b) are recognized as unmarried in the State of Utah; (c) mentally competent to consent to this partnership; (d) not related by blood in the way that prohibits lawful marriage; (e) share the same primary residence and have been in a mutually exclusive relationship for at least the last six (6) months, and have plans to continue this arrangement on an indefinite basis; and (f) are jointly responsible for the common welfare of each other and share financial obligations.

C. Medical Documentation. Certification issued by the health care provider, as defined by the FMLA, of the employee or the employee’s family member, which includes medical information about the health condition, including the date the condition commenced, the probable duration of the condition, and either the employee’s inability to perform the essential functions of his/her job or the requirement for the employee to provide care for the family member.

D. Pool Administrator. A person designated by the Assistant Vice President Human Resources.

E. Serious Health Condition. A catastrophic illness, injury, impairment, or physical or mental condition which requires hospitalization and/or convalescence or recuperation in an extended care facility or at home while under the care of a licensed health care provider. It is not intended for short-term leaves due to routine or non-extraordinary illness. It is not intended for elective surgeries.
III. PROCEDURE

The following procedure outlines the donation of sick leave to a Sick Leave Pool, and an employee’s eligibility to use leave from the pool to alleviate substantial loss of income due to his/her own serious health condition or his/her absence necessary to care for a family member or domestic partner with a serious health condition.

A. Eligibility.

1. All employees who are past their initial probation period and eligible to accrue sick leave may apply to use sick leave from the Sick Leave Pool subject to the other provisions of this policy and procedure.

2. Employees must first exhaust all accrued vacation and sick leave prior to the use of the sick leave pool.

3. An employee is eligible for a maximum of 60 days granted in 30 day increments for each catastrophic health condition unless the medical certification indicates that less than 30 days is necessary.

4. An employee does not have to contribute to the Pool in order to apply to use leave from the Pool. Employees granted leave from the Pool are not required to payback the time.

B. Contribution of Time.

1. To contribute sick leave to the Sick Leave Pool, an employee must notify the Pool Administrator.

2. The employee must have a minimum balance of 18 days sick leave before a contribution can be made. An employee may transfer to the Pool, in eight hour day increments, not less than one day nor more than three days per fiscal year.

3. Employees may not designate a specific person to receive their contribution.

4. Special periods may be designated when employees may donate up to 10% of their balance.
5. Sick leave may be donated at any time during the year, in accordance with the above paragraph B.2.

6. Terminating, Retiring, and Early Retiring employees are encouraged to contribute to the Pool upon separation from the College

7. Contribution of leave to the Pool will not affect the eligibility of an employee under the Sick Leave Conversion or cash out disbursement provisions of the Sick Leave Policy.

C. Withdrawal of Time from the Pool.

1. An eligible employee or his/her designee may apply, in writing, to the Pool Administrator through the Human Resources Office for permission to draw time from the Sick Leave Pool. Employees are ineligible to use this policy and procedure if they are receiving or have applied to receive Workers’ Compensation benefits.

2. The employee shall have the option of applying and using advanced sick leave in accordance with the Sick Leave Policy. However, where an employee has received advance sick leave and has a remaining obligation to re-pay some or all of the advance sick leave, the balance that has not yet been re-paid will reduce the number of days available to the employee from the Pool.

3. Applications to use Pool leave will be processed on a first-come, first-serve basis.

4. Medical documentation must be attached to the application unless current documentation has already been provided to the Human Resources Office.

5. Failure to make application as soon as the need is foreseeable, or to provide supporting medical documentation may result in the denial of use of donated leave.

6. An eligible employee may not draw time from the Sick Leave Pool in an amount that exceeds the lesser of one-third of the total amount of time in the Pool or 30 days.

7. The Pool Administrator will review the application and supporting medical documentation. If the employee is eligible to participate and the absence has been approved in accordance with College procedures, the Pool Administrator will
approve the application and notify the employee and supervisor. If the application is not approved, the employee will be advised of the reason.

8. The employee may use sick leave assigned from the Pool in the same manner as accrued sick leave and shall be treated in the same manner and shall be entitled to accrue the same benefits as an employee who uses such accrued sick leave.

9. If the employee receives a medical release for return to work on a part-time basis (either fewer hours per day or fewer hours per week than the employee’s regular schedule), the employee may continue to receive and use Pool leave for the balance of the regular work schedule until medically released for full duty. In this instance, Pool leave may be used and will be paid only for the difference between the employee’s temporarily reduced work schedule and the employee’s regular schedule.

10. When an employee using Sick Leave Pool hours returns to full duty, any unused hours revert to the Pool.

11. If the employee does not return to work the employee does not owe the College for Sick Leave Pool hours used nor will the College pay the employee for any Pool hours remaining.