

Contact: Aimee Claeys

**BOARD POLICY REVISIONS –
CATASTROPHIC ILLNESS POLICY**

Action Requested: Approve, as a first and final reading, proposed revisions to Board of Regents Policy Manual section 2.1.4.A – Catastrophic Illness, to be effective January 1, 2020.

Executive Summary: Current Regent Policy Manual section 2.1.4.A allows faculty and staff who accrue vacation leave to donate accrued vacation leave to an eligible employee to use as sick leave during a catastrophic illness or injury. Under the current policy, employees who do not accrue vacation are not eligible to receive catastrophic leave donations.

The Regent Institutions request revisions to the Board Policy Manual to expand the eligibility requirements to include all faculty and staff members who hold a regular appointment that is 50% or greater and receive either vacation or sick leave benefits. This change would permit faculty and staff who do not accrue vacation (e.g. 9-month faculty) to receive catastrophic leave donations.

Board of Regents approval of the following new Catastrophic Illness policy is requested. In order to provide the institutions with sufficient time to make any necessary operational adjustments to implement the changes required under the revised policy, the Board office recommends that the changes become effective January 1, 2020.

Proposed section 2.1.4.A – Catastrophic Illness:

- i. Definitions. The following definitions apply to this section 2.1.4.A (Catastrophic Illness):
 - a. “Catastrophic Illness or Injury” – An illness or injury resulting in a medical condition for which a health care provider has certified the condition is likely to result in a loss of thirty (3) or more work days.
 - b. “Eligible Employee” – any member of the faculty or staff (including merit and professional and scientific staff) who meet all of the following:
 - i. Are a regular employee;
 - ii. Have an appointment that is 50% or greater; and
 - iii. Receive either vacation or sick leave benefits.
- ii. Policy. Each Regent Institution shall develop a process by which Eligible Employees may receive contributions for a Catastrophic Illness or Injury. The process shall provide for the following:
 - a. Regent faculty and staff who accrue vacation may donate accrued vacation leave to an Eligible Employee for use as sick leave during Catastrophic Illness or Injury, but only in the following circumstances;
 - i. When the Eligible Employee has not yet satisfied the waiting period for long-term disability benefits; or

- ii. During any period of an Eligible Employee's maternity leave medical recovery period.
 - b. Any contribution under section 2.1.4.A.ii.a shall be converted to sick leave and used for Catastrophic Illness or Injury only after an Eligible Employee has exhausted all other sick leave, vacation leave, converted sick leave and other compensatory time to which that Eligible Employee is otherwise entitled.
 - c. An Eligible Employee who has exhausted all available paid leave, but is receiving supplemental payments for long-term disability is not eligible to receive contributions for Catastrophic Illness or Injury.
 - d. An Eligible Employee shall not receive contributions for Catastrophic Illness or Injury in excess of the amounts necessary to cover the amount of leave permitted under this policy for the Catastrophic Illness or Injury.
- iii. Exception. A Regent institution may adopt an alternative or supplemental program or program requirements addressing paid leave for Catastrophic Illness or Injury for all or certain groups of employees. Any alternative or supplemental program or program requirements adopted under this subsection 2.1.4.A.iii requires the written approval of the Executive Director or designee prior to implementation.

Current section 2.1.4.A – Catastrophic Illness:

- i. Policy
 - a. Eligible employees may donate accrued vacation leave to another eligible employee for use as sick leave during a catastrophic illness or injury. Eligible employees are non-organized faculty and staff who accrue vacation.
 - b. This contribution to an employee is converted to sick leave and used for a catastrophic illness or injury when the employee has exhausted all the sick leave, vacation, converted sick leave and compensatory time to which that employee is otherwise entitled and has not yet satisfied the waiting period for long-term disability benefits.
 - ii. Definition of Catastrophic Illness or Injury - "Catastrophic illness or injury" means an illness or injury resulting in a medical condition for which a physician has certified the condition is likely to result in a loss of 30 or more work days.
 - iii. Eligibility - All faculty and staff who accrue vacation and are eligible for long-term disability coverage are eligible to receive donations provided that they meet the standard and provide the certification as set forth in item B. above, have exhausted all paid leave and are not receiving any other supplemental payments (e.g., worker compensation or long-term disability).
- B. Relationship to Policy under Collective Bargaining Agreements – Non-organized faculty and staff covered by this policy are able to contribute vacation to and to receive vacation from those covered by collective bargaining agreements, which contain reciprocal catastrophic illness policies.
- i. Leave can only be transferred between employees in the same Regent institution.

- ii. Leave shall be donated in increments of one hour or more.
- iii. Leave shall be calculated and distributed in actual hourly dollars.
- iv. The total leave donations received by an employee shall not exceed the amount necessary to cover the long-term disability waiting period.
- v. Each Regent institution will develop a process by which eligible faculty and staff members may make the contributions provided in this policy.