

## **CLASSIFIED STAFF POOLED RESERVE PROCEDURES**

A pooled reserve of paid leave hours has been established to serve as a depository into which classified employees may voluntarily donate accrued paid leave hours so other classified employees may use it should they experience a serious personal illness or injury which forces them to lose pay. It is not meant as a substitute for long-term disability income protection.

### **CONTRIBUTIONS**

All classified employees who are eligible to accrue and use sick leave and paid leave are eligible to contribute to the Pool. Contributions are voluntary.

Employees must have a paid leave balance in excess of 80 hours in order to contribute paid leave hours. A maximum of twenty (20) hours of paid leave hours may be contributed per employee. The donor must, after donation, retain a balance of at least eighty (80) hours of paid leave. Employees waive all claims to paid leave hours contributed to the Pool. Once paid leave has been donated, it cannot be returned to the donating employee. A donor of leave may not designate the recipient. Accrued paid leave holds value upon termination from the college, and this value will be forfeited for the hours voluntarily contributed.

To contribute hours, employees complete the Paid Leave Contribution Form during the College's Insurance Open Enrollment period, indicating how many hours they wish to contribute. The Human Resource Office will verify in January if each employee meets the eighty (80) hours paid leave balance requirement to contribute.

The Pool's plan year is January 1 through December 31. Contributions will be taken from the employee's cumulative paid leave balance as of January each year, and transferred to the Pooled Reserve. The total number of hours held in the pooled reserve shall not exceed fifteen-hundred (1500) hours. If offers of hours exceed the need to stock or replenish the pooled reserve, offered hours will be accepted from employees in order of those employees with the highest leave balances.

The Human Resources Office shall accept donations that otherwise comply with these procedures, and Article 29H of the Classified Association Contract, at times other than the prescribed January period, but the Human Resources Office is not required to advertise or solicit donations more than once per year.

### **USING THE POOL**

The pooled reserve shall be available for all classified employees who accrue sick and paid leave and who:

1. have been absent from work with a physician's certification for at least twenty (20) consecutive work days (for initial qualification), but for no more than the number of work days that fall within ninety (90) consecutive calendar days (for maximum eligibility);

2. are not yet eligible to receive a benefit under the long-term disability insurance plan;
3. are seeking support through the pool reserve for their own personal illness or injury;
4. have exhausted their own sick leave and paid leave, and
5. who are unable to return to work because of illness or injury.

If an employee is eligible to apply for disability benefits through any source, the employee must do so. The employee may apply to use Pool hours during the waiting period. If a decision is made regarding a long-term disability claim prior to an employee exhausting the Pool hours awarded, the remaining hours will be returned to the Pool. If the employee is approved for the disability benefits, and the benefits are retroactive to include any period the employee was drawing hours from the Pool, the employee is responsible for repaying the hours to the Pool.

Pooled leave hours may not be granted for elective surgery, or illness of the employee's family.

Every eligible employee is entitled to apply for benefits after exhausting all their personal accrued time. However, application may be made prior to that time, and approval given contingent upon the employee's absence of more than twenty (20) consecutive work days and, exhaustion of all accrued leave and comp time. Benefits from the Pool are not available retroactively.

To request sick leave from the Pool, the employee obtains a Pool Reserve Application for Use form from the Human Resources Office. Parts 1 and 2 of the form must be filled in completely, and returned to Human Resources. Submitting an application does not constitute automatic approval. Decisions are made on the merits of each individual application.

If an employee is eligible, but unable to apply due to his/her physical or mental condition, the employee may designate a family member or other party to apply on his/her behalf.

To ensure ADA and HIPPA confidentiality, the Assistant Human Resources Director will review each application, and approve or deny the request based upon the agreed upon criteria. Applications shall be returned to the employee if the application is incomplete, lacks physician certification regarding the illness/injury from a licensed practitioner/physician, the district records show the employee has not exhausted, or will not exhaust, all available sick leave, paid leave and compensatory time, or the employee has not experienced an illness or disability preventing him/her from performing job requirements for a period of greater than twenty (20) days. Applications may be re-submitted.

The Assistant Human Resources Director shall act upon all applications within ten working days from receipt of the application. Applications will be considered on a first-come, first-served basis.

The amount of pooled leave hours granted for each serious illness or injury will be determined based on the individual need, and may not exceed more than the number of hours in the remaining work days falling within the employee's eligibility period for long-term disability. Never will more time be granted than is available in the Pool.

Appeals to decisions of the Assistant Human Resources Director, will be heard by an appointed representative of the classified association executive board. The representative will hear the Assistant Human Resources Directors reasons for denial prior to making a decision.

The Assistant Human Resources Director shall notify the employee and the employee's supervisor of the decision. If the application is approved, Payroll shall also be notified. The Assistant Human Resources Director shall keep accurate records of hours contributed to the Pool and used by employees. Annually, the Assistant Human Resources Director shall notify the Association and the District of accumulated hours and hours charged to the Pool.

If paid leave from the Pool is granted to an employee, the employee is considered to be in active status during the use of those hours and all employment benefits apply, including the accrual of paid and sick leave. Paid leave and sick leave accrued by the employee during this period will be exhausted each month prior to using paid leave from the pool hours.

Upon approval of the employee's application, the employee will submit monthly time sheets to Payroll recording the paid leave usage. Paid leave time will be awarded in an amount equal to the employee's normally scheduled hours (i.e., an individual scheduled to work 30 hours per week will receive 30 hours of benefits per week) and will not exceed these hours. A copy of the time sheet will be submitted to the Assistant Human Resources Director. If the recipient is able to return to work before receiving all the approved hours, the unexpended hours stay in the Pool.

## **TAX REPORTING**

An employee receiving hours from the Pool is compensated at his/her current hourly rate of pay for hours reported and such compensation is treated and reported as wages for Form W-2 and other payroll reporting purposes.

Contributions to the Pool are not included in the compensation of the contributing employee and are not reported as wages of the contributing employee for Form W-2 and other payroll reporting purposes.

## **CORRECTION OF OVERPAYMENTS**

In the event it is determined an employee who received hours from the Pool was ineligible, the employee shall reimburse the Pool for the value of the hours received. Upon receipt of the reimbursement, Payroll will make any necessary adjustments or corrections to the payroll tax reports. The college will convert the reimbursement to the applicable number of hours and treat them as contributed to the Pool, without attributing

those hours to any specific employee. If the employee fails to reimburse the Pool for the overpayment, the value of the hours received will be referred to collection and the employee will not be eligible to draw sick leave from the Pool until the amount due is paid in full.

In the event an employee who received hours from the Pool is subsequently reimbursed for loss of pay from a third party, such as through long-term disability or auto insurance, the employee shall reimburse the Pool for the value of the hours received. Upon receipt of the reimbursement, Payroll will make any necessary adjustments or corrections to payroll tax reports. The college will convert the amount of the reimbursement to the applicable number of hours and treat them as contributed to the Pool, without attributing those hours to any specific employee. If the employee fails to reimburse the Pool for the overpayment, the value of the hours received will be referred to collection and the employee will be ineligible to draw hours from the Pool until the amount due is paid in full.