

(Acts 91 and 169 of 1991, amended by Act 1176 of 1999 and Act 194 of 2003; Arkansas Code Ann. § 21-4-203, 21-4-214, 6-63-601, 6-63-602)

The university has a catastrophic leave bank program to which you can donate accrued sick leave and annual leave for use by employees who have a catastrophic illness or who have an immediate family member with a catastrophic illness, and whose own leave has been exhausted. You may also apply for catastrophic leave if you need it and meet the eligibility criteria. Some specific details of the university's program follow:

- **Catastrophic illness:** A medical condition of an employee or of the spouse, parent or dependent child of the employee, as certified by a physician, which requires the employee's absence from duty for a prolonged period of time and which results in a substantial loss of income for the employee because of the exhaustion of all earned sick, annual, holiday and compensatory leave time.
- **Eligibility:** You must be a full-time (100% appointed) employee to participate in the Catastrophic Leave Bank Program. To receive benefits under the program, you must have at least two years of service with the university or the university and another state agency or institution of higher education. The employment does not have to be continuous, but it must have been full-time employment in a regularly benefited position. You must have exhausted all of your sick, annual, holiday and compensatory leave, and as a result, face a substantial loss of income because of your, your spouse's, parent's or dependent child's medical condition. Your own injuries or illnesses that are covered and compensated by workers' compensation are eligible under the Catastrophic Leave Bank Program, but your workers' compensation and catastrophic leave compensation combined may not exceed the compensation you received before the onset of your illness or injury. If you have been disciplined for any abuse of leave during the previous two years, you are not eligible to participate in the program. You must have at least 80 hours of accrued, unused, combined annual leave and sick leave at the onset of the catastrophic illness or injury. This requirement may be waived by the chancellor or the chancellor's designee under extraordinary circumstances.
- **Donations:** Donations to the Catastrophic Leave Bank Program are optional. You do not need to donate to be eligible to receive benefits. No one may directly or indirectly intimidate, threaten, or coerce you or any other employee in connection with donating, receiving, or using annual leave, sick leave, or catastrophic leave. You may not donate if doing so would reduce your combined accrued annual leave and sick leave balance to less than 80 hours. Donations can only be made in one hour increments, and there is no limit to the amount of hours that may be donated. You may donate annual leave or sick leave, or a combination of the two. Donations from active employees are taken only during the annual donation drive,

normally held in the month of November. If you leave the university, you may donate unused hours of sick leave, annual leave or a combination of the two at the time you terminate your employment. The chancellor may extend the donation period on a case-by-case basis.

- **Application for use:** Applications for the Catastrophic Leave Bank Program are available in your department office and on the Human Resources [Forms page](#). When you request catastrophic leave, your department must verify that you have not been disciplined for leave abuse and you must provide a copy of your physician's diagnosis detailing your condition. It is important to explain the reasons for regular use of sick leave. After your application has been reviewed by your supervisor and your dean, director or department head, it will be sent to Human Resources for verification and for submission to the Catastrophic Leave Bank Committee for review. The completed application must be submitted to the Leave Administrator by the 1st working day of the month upon which the employee is requesting catastrophic leave. The committee is composed of nine university employees who review applications on a first-filed, first-considered basis. The Catastrophic Leave Bank Committee makes a recommendation on each application to the vice chancellor for finance and administration who makes the final decision to grant or deny catastrophic leave.
- **General rules:** If you are granted catastrophic leave, you will continue to receive your normal pay and benefits, such as contributions to insurance and retirement, but your next salary increase will be delayed for the same number of days you are on catastrophic leave or leave without pay. While you are on catastrophic leave, you will continue to accrue leave in accordance with university policies, but any leave you earn while you are on catastrophic leave must, as a condition of your voluntary participation in the program, be assigned to the Catastrophic Leave Bank. If an employee is granted Catastrophic Leave he/she will need to follow up with the Leave Administrator by the 1st of each month to advise if they will continue to need leave. No retro hours will be awarded. You may also meet the eligibility requirements for the Family and Medical Leave Act (FMLA). If so, all catastrophic leave time will be charged against your 12-week FMLA entitlement for the calendar year in which it occurs ([Section 7.6](#)). Catastrophic leave is limited to six months, or 1,040 hours, in a 24-month period, unless you have been denied disability, retirement or social security benefits. If you do not report to work at the end of your period of catastrophic leave, you may be terminated unless you provide a satisfactory reason for not returning before the date you are scheduled to return to work. The Catastrophic Leave Bank Program does not create any expectation or promise of continued employment. Further information about the program is available from Human Resources.

*A child who may be claimed as a dependent under the Arkansas Income Tax Act of 1929.

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