PURPOSE

Willamette University offers a Shared Leave Program in order to provide an opportunity for employees to support co-workers who are facing a catastrophic and/or debilitating illness or injury, whether their own or that of an immediate family member. It is designed to provide some income protection when all other forms of paid leave have been exhausted. The program allows employees to provide assistance in the form of donated vacation or sick leave. While the program establishes a mechanism for leave transfers, participation in the program is entirely voluntary.

EXCLUSIONS

An illness or injury shall be catastrophic and debilitating if it is:

- seriously incapacitating (unable to work);
- extended (the anticipated duration of the illness/injury is at least 30 days);
- confirmed in writing by the attending physician.

The program is intended to cover serious medical hardship or catastrophic illness or injury, such as cancer, major surgery, serious accident, and heart attack. Normal pregnancies, elective surgeries, common illness and absences covered by Long Term Disability or Worker's Compensation benefits are excluded. This program is not intended to cover cases of abusive leave usage.

Illnesses/injuries which are the result of complications of elective surgeries or pregnancies, however, may be considered catastrophic and debilitating if they meet the definition above.

DONOR ELIGIBILITY

1. Must be in a position that accrues vacation and/or sick leave.

2. Have a sick leave balance of at least 160 hours after donating accrued sick leave, and a vacation leave balance of at least 80 hours after donating accrued vacation.

3. Donations can only be made in one hour increments.

4. One hour of donated leave must be regarded as one hour of shared leave for the recipient, without regard to the rate of pay of the donor or the recipient.

5. Leave may not be donated prior to accrual.

6. All donated leave must be given voluntarily. No employee may be coerced, threatened, intimidated, or financially induced into donating leave.

7. The identity of all donors will be kept confidential unless permission is received from the donor to release his/her name to the recipient.
8. All donations must be authorized in writing by the employee, using the shared leave donation form available in the Human Resources office.

9. Maximum donation from any single donor to a recipient will be a total of 40 hours of vacation and/or sick leave.

RECIPIENT ELIGIBILITY

1. Recipient or immediate family member must be suffering from a catastrophic health condition or injury which necessitates the employee's prolonged absence from work and for which the employee has no availability of paid leave.

2. Completed at least two years of service with the University.

3. Be in a position that accrues vacation and sick leave.

4. Have exhausted all accrued paid leave including vacation and sick leave.

5. Are not receiving Worker’s Compensation payments or Long Term Disability benefits.

6. Donations will not be approved in excess of the recipient’s Long Term Disability waiting period, or 90 days if the illness or injury is not covered by Long Term Disability insurance benefits. In addition, benefits are only payable for periods where the employee is on FMLA or OFLA protected leave. Donations are not available to employees during periods of Personal Leave.

7. Benefits may be paid in supplement to short-term disability benefits, but in no case shall the amount paid to the employee exceed his/her full salary. If an employee is covered by supplemental short-term disability (STD), he/she must provide information from the carrier showing what the benefit is and proof that he/she has applied and been approved for STD payments.

8. Must produce acceptable medical verification from a physician or other licensed health care provider indicating the nature, severity and anticipated duration of the disability.

9. Must be an employee in good standing with no record of excessive absenteeism or leave abuse.

10. All benefits of a leave recipient continue to accrue while using donated leave time.

11. All donated leave credited to and used by the recipient is taxable income, and is subject to all applicable taxes.

12. Any donated leave may only be used by the recipient for the purposes specified within this policy and is not payable in cash.

PROCESS

1. The employee wishing to receive shared leave donations must make the request in writing to the Human Resources Office. If the employee is not capable of completing an application, a personal representative or designee of the employee may complete the application on his/her behalf. Application forms are available in the Human Resources Office.
2. All requests for shared leave donations must be accompanied by a physician's statement which states the beginning date of the condition, a description of the illness or injury, a prognosis for recovery and an anticipated date the employee will be able to return to work.

3. If the time is being requested to care for an immediate family member, the request must also include the relationship, where the family member resides, and the physician's statement concerning to what extent the family member is totally dependent on the employee as a care provider.

4. Review and approval are made by the Director of Human Resources in consultation with the immediate supervisor, department head and Vice President/Dean.

5. Upon approval of the request, the Director of Human Resources will initiate a campus-wide request for leave donations. The employee, or a member of the employee's family, must consent to the publication of the employee's need.

6. Employees wishing to donate leave will complete a leave donation form, which is available in the Human Resources Office.

7. Leave donation forms will be date stamped in the order they are received in the Human Resource office.

8. Leave will be deducted from the donor and credited to the recipient's sick leave balance on an "as needed basis" in the order in which the leave donation forms are received.

9. If the leave donations exceed the need or eligibility of the recipient, all unused leave donations will be returned to the donors.

Approved by Administrative Council 4/11/00, Revised 2/5/2009