



POLICIES & PROCEDURES

Title: Shared Sick Leave Policy

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Department: Human Resources

In accordance with the LCTCS #6.003 Leave Policy for Unclassified Employees, Louisiana Delta Community College establishes a Shared Sick Leave policy. This policy is a means of providing paid sick leave to an eligible employee who has experienced a catastrophic illness or injury. The intent is to assist an employee who, through no fault of their own, have insufficient paid sick leave to cover a catastrophic illness or injury period. As per the LCTCS #6.003 Leave Policy, each college shall develop their own policy and terms. This leave is to be managed per the established College policy and in accordance with all state and federal regulations.

Shared Sick Leave Terms

Within the context of this policy, terms have the meaning indicated below:

1. Eligible employee is an unclassified employee (Faculty or Staff) of Louisiana Delta Community College who is eligible to earn sick leave in accordance with Leave Policy for Unclassified Employees.
2. Licensed Medical Service Provider (LMSP) is a practitioner, as defined in the Louisiana State Licensing Law (relative to that LMSP's field of service), who is practicing within the scope of his or her license. This is to include licensed Physicians (a doctor of medicine) or M.D., doctor of osteopathy or D.O., or licensed Chiropractors, Counselors, or Therapists as recognized and licensed by appropriate state boards or authorities.
3. Catastrophic Injury or Illness is a severe condition or combination or conditions that:
 - a. Affects the physical or mental health of the employee; and
 - b. Requires the services of a licensed medical service provider for a prolonged period of time; and
 - c. Prevents the employee from performing his/her duties for a period of more than ten consecutive days and forces the employee to exhaust all appropriate leave described in other parts of this policy and to lose compensation from the state.
4. Leave Pool Manager is the Executive Director of Human Resources or his/her designee.
5. Shared Sick Leave Committee is a committee comprised of three members (staff and/or faculty) and the Leave Pool Manager or designee. The Committee acts to support the administration of the Shared Sick Leave program, review the pool and program management practices by the Leave Pool Manager. When not otherwise specified in written policy, the Committee may recommend operational guidelines and procedures for the Shared Sick Leave Program.

Eligibility Requirements

An employee is not required to contribute to the Shared Sick Leave Pool to be eligible to receive shared sick leave. An eligible employee may apply to receive shared sick leave if the following requirements are met:

1. The employee suffers from a catastrophic illness or injury; and
2. The employee has exhausted all appropriate leave in accordance with this policy; and
3. The employee must have completed at least : (a) one academic year of service if employed on an academic year basis; (b) one fiscal year of service if employed on a twelve month basis; and
4. The employee has exhibited satisfactory attendance (with no history of leave abuse), and is not absent from work due to disciplinary reasons; and
5. The catastrophic injury or illness is not occupationally related (therefore making that employee eligible for workers' compensation) or was not attained in the commission of an assault or felony; and
6. The appropriate documentation from a LMSP is provided to the Leave Pool Manager.

Amount of Shared Sick Leave that May Be Approved

The amount of shared sick leave granted for each catastrophic illness or injury is determined by the Leave Pool Manager. The amount of leave granted to an employee will generally reflect the recommendations of the LMSP, subject to the following limits:

1. A maximum of 240 hours may be granted to an eligible employee during one calendar year;
2. Shared Sick leave may not be granted to any individual to extend paid leave status beyond a total time in leave status of 12 weeks;
3. The total amount of leave granted will not exceed the balance of hours in the leave pool at the time of the employee's request;
4. The value of the sick leave granted as shared sick leave may not exceed 75% of the employee's pay received in a regular workweek and the employee will not accrue leave while using shared sick leave.

An employee using leave from a shared sick leave pool shall receive leave in sufficient quantity to ensure his wage replacement is 75% of the pay (base pay) he or she would receive in a regularly scheduled workweek and is documented in accordance with the same procedures as regular paid leave taken by the employee. (For example, 30 hours for a 40-hour employee.)

Donation Procedures

Contributions to the Shared Sick Leave Pool are strictly voluntary; no employee shall be coerced or pressured to donate leave. Donations to the Shared Sick Leave Pool is irrevocable. An employee donating to the pool may not designate a particular employee to receive donated time. The donor must complete a Donation to Shared Sick Leave form and submit the form to the Leave Pool Manager. Donations are accumulated in the pool and awarded on a first-come, first served basis to eligible employees. Donations are restricted as follows:

1. An employee may donate a minimum of 4 hours of sick leave, donations beyond 4 hours must be made in whole hour increments;
2. The donor must have a balance of at least 120 hours of sick leave remaining after the contribution.
3. Donations are limited to a maximum of 240 hours of sick leave per employee per calendar year.

4. Donations are limited to a maximum of 240 hours of sick leave upon separation or retirement.
5. Leave will not be restored or returned to the donor once the leave has been transferred to the pool

Request Procedures

An eligible employee may request leave from the Shared Sick Leave Pool by completing a Shared Sick Leave Request form. The request must be submitted to the Leave Pool Manager with a copy of the employee's Certification of Physician or Practitioner (FMLA) form. The Leave Pool Manager receives the request to make sure that the employee is eligible to receive shared sick leave. The employee requesting shared sick leave must provide all requested information necessary to make a final determination of eligibility.

Confidentiality of Requests

All requests for shared sick leave must be treated as confidential. All requests and documentation for shared sick leave are to be submitted in envelopes marked "confidential".

Adjudication of Requests

Each request will be stamped with date and time received by the Leave Pool Manager, and handled on a first-come, first-served basis. When possible, a request is to be submitted at least 10 days before the shared sick leave is needed. The Leave Pool Manager is allowed five working days from the date a request is received (with the required documentation) to approve all or part of the request, or deny the request, and communicate such approval or denial to the employee.

If the request is approved, the Leave Pool Manager will credit the approved time to the employee's leave record.

Use of Shared Sick Leave

Approved shared sick leave is used for a maximum of 75% effort and is documented in accordance with the same procedures as regular paid leave taken by the employee.

Changes in Status Affecting Shared Sick Leave

1. Shared Sick leave may be used only for the circumstances for which it was requested. If any change occurs in the nature or severity of an illness or injury, or of any other factor on which the approval was based, the employee must provide documentation describing the change to the Leave Pool Manager. The employee may request additional shared sick leave subject to the limits outlined above. Extensions of shared sick leave are not automatic. Each request for extension will be addressed on a first-come, first-served basis.
2. Use of leave from the Shared Sick Leave Pool for reasons other than those stipulated and approved by the Leave Pool Manager and/or failure to abide by procedures and requirements outlined in this policy may constitute payroll fraud and will be addressed accordingly.
3. Employees who are able to return to work before using all shared sick leave granted must return the unused shared sick leave to the Shared Sick Leave Pool.

Compensation and Benefits

1. Shared sick leave will be paid at the receiving employee's rate of pay.

2. An employee in shared sick leave status will be considered in partial paid leave status and will continue to receive benefits as appropriate.
3. Employees on shared sick leave will not accrue paid leave.

Financial Impact

1. The cost of the shared sick leave period will be borne by the recipient's employing unit.
2. The Leave Pool Manager will maintain records on shared sick leave donated and used on hour for hour value basis and will provide semi-annual reporting to administration. The reporting will provide the amount of shared sick leave donated and amount of shared sick leave used within the Shared Sick Leave Pool.

Appeals

The decision to approve or deny shared sick leave requests by the Leave Pool Manager is final and not subject to appeal.