

D.11.1.1 (Procedure) Emergency Leave Bank

Responsible Department: Human Resources

Based on Board Policy: [D.11.1](#) – Emergency Leave Bank

Approved: 12-14-10

Last Amended: 5-14-18

1. DEFINITIONS

For the purposes of this Policy, the terms below are defined as follows:

Catastrophic Illness or Injury: A severe condition or combination of conditions affecting the mental or physical health of an employee or an employee's immediate family that requires the services of a licensed practitioner for a prolonged period of time and forces the employee to exhaust all accrued leave or lose compensation from the District in order to care for themselves or an immediate family member.

Immediate Family: Those individuals related by kinship, adoption, marriage or foster children (who are certified by the Texas Department of Human Services) who are living in the same household or, if not in the same household, are totally dependent upon the employee for personal care or services on a continuing basis. This includes the spouse, parents, child, sibling or grandparent of either the employee or the employee's spouse or of any other family member living in the employee's household.

Eligible Employee: Any full-time benefited Alamo Colleges employee who has exhausted all accrued (vacation, personal and sick) leave or because of a previous donation to the Emergency Bank may apply for emergency leave.

Emergency Leave Bank: Accrued sick leave voluntarily donated by Alamo College's employees to the Emergency Leave Bank.

Emergency Leave Bank Administrator: The Associate Vice Chancellor of Human Resources or designee shall carry out the responsibilities of this policy.

Licensed Practitioner: A person who is licensed to practice (within the scope of his or her license) in one of the health professions set forth in Article 3.702 of the Texas Insurance Code.

2. EMERGENCY LEAVE BANK COMMITTEE

a. The Emergency Leave Bank Committee, ("Committee"), shall be comprised of two representatives each from Northeast Lakeview College, Northwest Vista College, Palo Alto College, St. Philip's College, San Antonio College (one classified/professional and one faculty member), and three from District Offices (two classified/professional and one administrator). A health professional from the District and an Human Resources representative shall be appointed to provide support as needed to the Committee. These two appointees are non-voting representatives.

b. Representatives are appointed by the Chancellor in December to begin serving at the beginning of the calendar year for a three-year term. The Chancellor will seek nominations from

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the Executive Staff Senate and United Faculty Senates from each of the above locations. The Committee will select a Chairperson to serve for a three-year term. Terms may be extended at the Chancellor's discretion. All terms will be staggered so that one-half of the Committee is replaced on a yearly basis.

3. CONTRIBUTION OF LEAVE

a. An employee who wishes to contribute to the bank must submit an Emergency Leave Bank Donation Form to the Human Resources Department, Benefits Division. Contributions may only be made during the months of October and April or when the Bank Administrator issues a special call for donations.

b. An employee may contribute no more than five days (40 hours) in one-day (8 hours) increments per fiscal year. The Bank Administrator may issue a special call for donations when the balance of days in the Emergency Leave Bank is reduced to less than 300 days. During a special call for donations, employees may donate up to an additional five days (40 hours) of sick leave to the Emergency Leave Bank.

c. Sick leave contributed by an employee to the Emergency Leave Bank may not be designated for use by a particular employee or group of employees.

d. Retiring employees may designate the number of sick leave hours they want donated to the Emergency Leave bank.

4. WITHDRAWAL FROM THE LEAVE BANK

a. To request a withdrawal of leave from the Emergency Leave Bank, an eligible employee must submit an Emergency Leave Bank Application Form to the Bank Administrator. A Medical Certification Statement completed by a licensed health care practitioner must accompany the withdrawal application unless the reason is based on 5(b) below.

b. If the application does not exceed time which the applicant/ employee donated in the previous year and which has not already been allocated, a Licensed Practitioner Certification Statement is not necessary.

c. The Bank Administrator shall review the application for completeness and shall remove all identifying information from the form before forwarding them to the Committee Chairperson. The Committee Chairperson along with the members of the Committee will review the applications in the ordered they were received.

d. The amount of sick leave time granted to any one employee for any fiscal year cannot exceed one third of the total amount of time in the Emergency Leave Bank or 90 working days (720 hours), whichever is less [only full-time employees are eligible]. Otherwise, the Bank

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Administrator shall determine the amount of emergency leave time granted to the applicant. The amount of emergency leave granted will not exceed the amount of time required for the employee to reach the point where Short Term Disability is activated. One application per fiscal year may be submitted unless the maximum amount of time as described above has not been granted.

e. Assigned leave from the Emergency Leave Bank may not be substituted for compensation received from worker's compensation or short or long term disability.

f. Faculty members may apply to withdraw from the Emergency Leave Bank only during contract periods.

g. The decision of the Committee shall be reviewed by the Bank Administrator for compliance with these procedures and availability of leave only. If all is in order, and as applicable, the Bank Administrator shall determine the number of hours to be credited and initiate action to credit leave time to the employee immediately thereafter. When leave is credited, notice will be given to the employee and the employee's supervisor.

h. Emergency Leave Bank hours will be subtracted from the bank and added to the employee's emergency sick leave account and paid out at the employee's current rate of pay.

5. MISCELLANEOUS PROVISIONS

a. While using emergency leave withdrawn from the Emergency Leave Bank, an employee shall be treated for all purposes as an absent employee on accrued sick leave.

This includes the accrual of all of the same benefits as an employee out on accrued sick leave.

b. Any unused balance of leave granted to an employee will revert to the Emergency Leave Bank upon the employees (i) retirement, (ii) death, or (iii) a determination by the Bank Administrator that the employee is no longer eligible. A deceased employee's estate is not entitled to payment for unused sick leave acquired from the Emergency Leave Bank and a departing employee is not entitled to payment for unused sick leave acquired from the Emergency Leave Bank.

c. The Bank Administrator shall prepare an annual report in December regarding the status of the Emergency Leave Bank and will forward copies to the following:

Chancellor

Vice Chancellor for Finance and Administration

Associate Vice Chancellor of Human Resources (if not serving as Bank Administrator)

Internal Auditor

Emergency Leave Bank Chair and Committee

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The report shall include the amount of leave donated and withdrawn during the past 12 months, the beginning and ending leave balance, the number of employees who received leave from the bank, and other information that will facilitate review of the program, or as requested by the Chancellor or Vice Chancellor for Finance and Administration.

d. Any proposed changes to this policy will be forwarded to the Leave Bank Chair, Committee and Bank Administrator for review. However, the final decision on adoption of any changes to this policy shall be made by the Alamo Colleges Board of Trustees.

e. All medical information contained in withdrawal applications shall be confidential in accordance with all applicable HIPPA regulations and are exempt from disclosure.