COLORADO SCHOOL OF MINES

LEAVE SHARING BANK PROGRAM

PURPOSE

To establish a bank to which employees may donate annual leave to be used by a qualifying employee experiencing a catastrophic medical hardship, either personally or by an immediate family member, in order to provide some income protection when the employee would be absent from work for a prolonged period of time and has exhausted all annual and sick leave. The bank may also be available to employees who are directly affected by life-altering catastrophic events or emergencies, such as wildfires, floods, tornados, other natural disasters, murder, or kidnapping. This includes employees who suffer loss of life or property as a consequence of such events, or who are serving as first-responders to such tragedies.

The definition of immediate family member for purposes of the medically-related leave sharing is the employee’s child including a foster, adopted, or step child or an adult child incapable of self care; parent, including an individual who filled the role of a parent (daily care and financial support); spouse; legal dependent for whom the employee is the primary caregiver; or another person living in the employee’s household for whom the employee is the primary caregiver. The appointing authority may request documentation of the familial relationship.

EXCLUSIONS: This leave sharing program is intended to cover serious medical hardship or catastrophic illness or injury, such as cancer, major surgery, serious accident, heart attack, etc. that poses a threat to life and requires inpatient, hospice or resident health care or accidental events that result in a substantial loss or complete destruction of the employee’s residence. Normal pregnancy, common illness, non-emergency surgery, and illness/injury covered by short-term and long-term disability (except for the waiting period), PERA, or Worker’s Compensation are excluded. This program is not intended to cover cases of abusive leave usage nor foreseeable situations that could have been prevented or minimized by planning or action on the part of the employee or for a short-term financial setback or inconvenience.

ELIGIBILITY

Any employee of the Colorado School of Mines with at least one year of service is eligible to participate in the CSM Leave Sharing Bank Program.

APPLICATION FOR LEAVE

All accrued annual and sick leave must be exhausted before leave time will be awarded from the Leave Sharing Bank Program. Leave will be awarded from the leave sharing bank only when an employee or a member of the employee’s family is experiencing serious medical hardship, catastrophic illness or injury, or the employee has experienced a life-altering catastrophic event as previously defined. Applications must be made on the form, Application For Use Of Bank Leave, provided by the CSM Human Resources Office. An application must be approved by the requesting employee’s supervisor prior to submission to the CSM Human Resources Office.

GOVERNANCE

The form titled Application For Use Of Bank Leave may be completed and submitted to the CSM Human Resources Office as soon as the employee, or employee’s representative becomes aware that assistance will be needed. A review of each application will be made by the CSM Human Resources Office to determine eligibility and appropriate amount of award. The CSM Human Resources Office will then forward the
application and any supporting documentation to the CSM President for a decision. Decisions of the President regarding receipt of leave are final and not subject to grievance or appeal.

Decisions are based on the merits of each individual case using the following guidelines:

- Requests, for situations eligible under the program, will be considered based on the details of the situation, availability of other benefits/assistance, exhaustion of leave, etc.

- In addition to the merits of the case, requests may be denied for suspected leave abuse as shown by documentation, an incomplete application, refusal to supply requested information, or ineligibility.

- Performance, length of service, program needs, and leave usage patterns may be considered in the decision to grant or deny the application.

- Approval of a request is not automatic. Denial of a request should not be construed as a determination that the situation is not a personal emergency.

- The applicant and/or supervisor may be contacted to obtain information regarding the application.

- The decision to approve or deny the application is final and not subject to grievance or appeal.

- All or any portion of the requested time may be granted. The maximum time that may be granted for a medically related request is 520 hours. The maximum time that may be granted for any non-medically-related request shall be 174 hours.

- Awarded time is not transferable. In cases where the situation ceases to exist or the employee terminates/retires, any unused portion of the awarded time must be returned to the Bank.

- Awarded time may be applied retroactively to the beginning of any leave-without-pay for the illness/injury or emergency for which it was granted.

- Rules and procedures that apply to paid leave apply to use of awarded time except that it will not be part of a final payout for retirement or termination.

- Requests for leave due to any of the eligible non-medically-related events shall be limited to those impacting the employee personally or the employee’s personal residence.

Contributions will be accepted at any time and can only be made from accrued annual leave. Individual annual leave balances will be decreased by the amount of the contribution but cannot result in a negative balance. The employee is encouraged to keep some balance for his/her own use. The minimum contribution shall be eight (8) hours of annual leave. Employees who wish to contribute annual leave to the Leave Sharing Bank Program may do so by completing the form titled Annual Leave Contribution Record available in the CSM Human Resources Office.

Questions concerning this program should be directed to the CSM Human Resources Office at Extension 3250.

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REQUIREMENTS AND CONDITIONS FOR APPLICATION:

• Applications shall be limited to those events as defined under the purpose of the program.

• Applicants must have at least one year of service prior to applying for use of bank leave.

• Applicants must have exhausted all annual and sick leave prior to receiving any bank leave.

• Application does not constitute approval of the request.

• Performance, length of service, program needs, and leave usage patterns may be considered in the decision to grant or deny an application.

• All or a portion of the time requested may be granted within the limits under the program.

• Rejection of an application is not a determination that a situation is not a personal emergency. Other alternatives, e.g., leave-without-pay, adjusted work schedules, etc, may be considered.

• The decision is final with no right to grievance or administrative/ judicial appeal.

• Approved leave is nontransferable. If the situation ceases to exist or the recipient terminates/retires, the unused leave must be returned to the bank.

INSTRUCTIONS:

1. Application must be made in writing on the Application For Use Of Bank Leave included herein. A representative of the employee may submit the application if the employee is unable to personally apply.

2. Supporting documents although not required may be submitted along with an application. Supporting documentation may include performance evaluations, records of leave usage, letters of support, or any other information relevant to the decision.

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