



COVID-19 Leave Bank Leave Sharing / Donation Procedure

Overview

Monroe Community College recognizes the impact and strain that the COVID-19 pandemic places on employees and their families. The College, the CSEA, and the Faculty Association have joined together to create an emergency leave bank, the COVID-19 Leave Bank, to help alleviate these pressures for employees and to allow them to take necessary time off to address concerns related to the virus. All employees at the College may elect to donate accrued personal, sick, and/or vacation leave from their leave balance to the COVID-19 Leave Bank (CLB).

The CLB is available to all eligible full-time employees who elect to donate to the bank. Eligible recipients may receive up to twenty (20) days of paid CLB leave during the COVID-19 pandemic. CLB leave may be approved in increments of two (2) weeks or less. The CLB will be jointly administered by the Faculty Association, the CSEA, and the College.

Criteria for Recipient Eligibility

1. To be eligible, an employee must be in a full-time title employed on an annual salary basis and must have at least six (6) months of continuous full-time service with the College. Those employed in part-time positions or who do not receive annual appointments shall not be eligible to receive donated leave.
2. Employees must have donated at least one (1) day of personal, sick, or vacation leave to participate in the bank and to be eligible to receive donated leave.
3. An employee's illness or need for such leave must be directly related to the COVID-19 pandemic. Examples of eligible needs for leave include:
 - a. A person who has a longstanding medical condition or whose immunity is compromised and is at greater risk if exposed to the virus;
 - b. A person who must care for a family member who is diagnosed with the disease and is unable to care for themselves;
 - c. An individual who is unable to work because of a condition created by the COVID-19 pandemic (i.e., who is unable to find child care, who lives with a person who has a greater risk of contracting the disease and must limit their exposure to the virus, etc.)
4. Requests for leave from the CLB must be supported by medical documentation acceptable to the administrators of the bank where applicable or by proof of school or childcare closure.
5. The administrators of the bank shall determine whether requests by eligible employees to receive leave from the CLB will be approved, based solely on the reason for the request and the documentation submitted to support such request.
6. Employees seeking leave from the CLB are not required to exhaust their current leave accruals, but they will be required to use five (5) days of paid leave (sick, personal, vacation or a combination thereof) while their request is being considered.
7. CLB leave cannot be used to supplement or supplant income benefits under any applicable collectively bargaining or union provided short-term or long-term disability benefits. In no case, shall the benefits available under this CLB combined with state and federal leave benefits exceed the employee's regular salary.
8. The number of hours that comprise a day for the recipient is determined by the job title and

classification of the recipient.

9. The following time counts toward years worked for purposes of eligibility:
 - a. Time an employee is on paid parental leave, paid Family and Medical Leave Act (“FMLA”) leave, or any other paid leave will count towards service in calculating whether the employee has met the six (6) months of full-time service required for recipient eligibility.
 - b. The time that an employee is on an unpaid child care leave or an unpaid Family and Medical Leave Act (“FMLA”) leave will serve to bridge service which immediately precedes and follows such leave in calculating whether the employee has met the six (6) months of full-time continuous service required for recipient eligibility.
10. The administrators of the bank may deny a prospective recipient’s request for CLB if they are an employee not in good standing.
11. In the event an employee is deemed eligible to receive CLB leave, the grant of such leave shall not exceed twenty (20) days.
12. In the event an employee needs to submit a second request for CLB leave due to a qualifying reason as set forth in section 3 above, the maximum number of days that may be granted under the second request is ten (10) days. Under no circumstances may an employee receive more than twenty (20) days of CLB leave; this holds true even if an employee makes another donation during the second enrollment period.

Criteria for Donating Leave

An employee who wishes to donate personal, sick, and/or vacation leave to the CLB must meet the following criteria:

1. The employee must be in a full-time title and employed on an annual salary basis.
2. Donations must be made in increments of one (1) day, with a minimum donation of one day of personal, sick, or vacation leave. The number of hours that comprise a day for the donor is determined by the title of the donor.
3. Employees may donate up to ten (10) days of personal, sick and/or vacation leave (or a combination thereof).

Program Requirements

1. An initial enrollment period for leave donations was held April 20, 2020 - May 8, 2020 (“initial enrollment period”). Per agreement among the Faculty Association, CSEA, and College, a second enrollment period is being held **January 14, 2021 – January 21, 2021** (“second enrollment period”). The enrollment period may be extended by agreement between the CLB administrators.
2. Once an employee elects to donate leave to the CLB, the election cannot be revoked.
 - a. If an employee donated leave during the initial enrollment period last spring, that person does not need to donate again during the second enrollment period to remain eligible to access CLB leave. If an employee who donated leave during the initial enrollment period wishes to donate again during the second enrollment period, it is their option to do so.
 - b. If an employee did not donate leave during the initial enrollment period last spring, that person may donate during the second enrollment period to become eligible to access CLB leave.
3. Leave will not be granted in such a manner as to create a negative balance to the CLB.

The administrators of the CLB may consider the amount of leave remaining in the CLB when reviewing applications in order to make an equitable distribution of leave among qualified applicants.

4. CLB leave will be granted to the recipient retroactive to the first day of substantiated absence without pay.
5. CLB leave will not be granted to individuals who are able to work remotely and perform the essential functions of their positions.
6. CLB leave will not be granted to cover previously scheduled time off. As is the case with a snow day, for example, if the College closes due to snow on a day when a person is scheduled to be out for vacation, the person will be charged a vacation day from their accrued bank.
7. CLB leave will not be granted to individuals who are required to quarantine following voluntary travel to a state with a significant rate of transmission of COVID-19 under Executive Order 205. Leave may be granted if the state to which the individual voluntarily traveled was added to the list of restricted states after the individual arrived in the state or during their stay.
8. Anyone who wishes to donate to the CLB must do so using the CLB donation form. Such form must be completed electronically. It will be returned to Human Resources who will share those donations with the CLB administrators. Human Resources will work with the Payroll Department to deduct the amounts donated to the CLB bank from the leave accruals of individuals who have donated.
9. Individuals seeking to access leave under the CLB must complete a form for that purpose. That form will be available online and will be submitted to Human Resources; Human Resources will share applications with the CLB administrators for review.
10. All applications must include medical documentation or proof of the need for such leave, from a health care provider or government agency substantiating the validity of the application.
11. The determination of whether to grant or deny a leave request will be made solely by the CLB administrators and shall be based solely on the nature and severity of the need for such leave, as indicated by the supporting documentation for the request.
12. Upon receipt of a denial, the applicant may submit a request to the CLB administrators for reconsideration. Such a request must include additional information justifying the need for such leave and contain any additional information the employee deems to be necessary for review of the reconsideration request. All reconsideration decisions are final and are not subject to further appeal.
13. Any employee who is granted leave from the bank will have all sick leave earned during the period of the leave donated to the bank.

General Information

The CLB will be established beginning April 20, 2020 and will **continue in effect until June 30, 2021**. At that time, the CLB administrators will determine whether, based on the status of the COVID-19 pandemic, it is necessary to continue the CLB. The decision to extend the bank will be a joint decision of the administrators and is not subject to review or appeal.

At any time during the pendency of the pandemic, the CLB may be disbanded at the request of one of the administrators. Such request must be made in writing and must contain an explanation and/or justification for the request. Any request to disband the bank may be resolved through mutual agreement; however, if the requestor does not agree to withdraw the request, the bank will be disbanded 15 days after it was made and discussed by the joint administrators. All time left in the bank will be returned to employees who donated time on a proportional basis; time will be

returned in 15-minute increments with the smallest increment being 15 minutes or .25 hours.

The CLB may be extended or modified during any future periods of health emergencies that may arise. Meetings of the CLB administrators will be held on as needed basis to address requests that are submitted. Such meetings may be held via telephone conferencing, video conferencing or in person, if conditions allow. These meetings are not open to the public. This COVID-19 Leave Bank is not a part of any collective bargaining agreement between the College and the Faculty Association or the Civil Service Employees' Association. As such, the operations of the CLB are not subject to the grievance procedure of either collective bargaining agreement and may only be challenged through the appeal process described above. Decisions of the CLB administrators are final.