



UNIVERSITY OF UTAH LEAVE SHARING PLAN

The University of Utah recognizes that employees may have a family medical emergency or be affected by a major disaster, resulting in a need for additional time off in excess of their available vacation, sick and personal preference leave time. To address this need, all eligible employees will be allowed to donate accrued vacation hours from their unused balance to a leave bank that is available to other University employees in need of additional paid time off, in accordance with the policy outlined below. This policy is strictly voluntary.

Eligibility

Recipients must be employed in a benefit-eligible position that is not currently subject to an involuntary furlough.

Guidelines

Employees who would like to make a request to receive donated vacation hours from their co-workers must have a situation that meets the following criteria:

Medical emergency, defined as a medical condition of the employee or an immediate family member that will require the prolonged/extended absence of the employee from duty and will result in a substantial loss of income to the employee due to the exhaustion of all paid leave available. In the event of a medical emergency, employees may use the University's standard Vacation Donation forms.

Major disaster, defined as a disaster declared by the president under §401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act), or as a major disaster or emergency declared by the president pursuant to 5 U.S.C. §6391 for federal government agencies based on a finding that the disaster is of such severity and magnitude that effective response is beyond the capabilities of the State and the affected local governments and that Federal assistance is necessary. An employee is considered to be adversely affected by a major disaster if the disaster has caused severe hardship to the employee or to an immediate family member of the employee that requires the employee to be absent from work.

An immediate family member includes the following relationships: spouse, domestic partner, grandparent, parent, sibling, child, and grandchild. In-laws, foster or step relatives in the relationships listed, including relatives of an employee's spouse or domestic partner, are also included. Immediate family member also includes someone for whom the employee is next of kin.

Donation of Accrued Vacation Leave – Major Disaster Bank

The donation of accrued vacation hours is strictly voluntary. Employees may not donate “use or lose” vacation hours.

University Human Resource Management

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Email: AskHR@utah.edu / Web: www.hr.utah.edu/benefits

The donor's department will be responsible to fund the donated vacation leave. As a result, departments that do not have the funding available to cover the cost of the donated vacation may deny the donor's request.

Donated vacation hours will go into a leave bank for use by eligible recipients.

The identity of recipient(s) will not be disclosed to donating employees and donating employees cannot designate a recipient(s).

The donation of accrued vacation hours is based on the dollar value of the donation, without regard to the number of hours donated.

The minimum number of accrued vacation hours that an eligible employee may donate is 4 hours per calendar year; the maximum is 96 hours or no more than 50 percent of the employee's current balance.

Employees cannot borrow against future vacation accrual hours to donate.

Employees may donate vacation hours at any time during the major disaster and up to one month following the end of the major disaster. The donated vacation hours will be transferred from the donor to the leave pool within 14 days of receipt of the donation.

Receipt of Accrued Vacation Leave – Major Disaster Bank

Recipients may not elect to receive cash in lieu of receiving pay for absences resulting from the major disaster. Recipients may be substituted retroactively for any period of leave without pay resulting from the major disaster.

Leave deposited on account of a particular disaster may be used by only those employees affected by that disaster.

Any donated leave that has not been used by recipients within two months of the end of the major disaster will be returned to donors within a reasonable time so that the donor may use the leave, except in the event the amount is so small as to make accounting for it unreasonable or impractical. The amount of leave returned will be in the same proportion as the leave donation.

Requesting and Receiving Donated Leave

Employees who would like to request donated vacation hours are required to complete a Donation Request Form and submit it to University Human Resource Management.

Requests for donations of vacation hours must be approved by University Human Resource Management and the employee's immediate supervisor.

In no event can an employee receive a combination of pay for hours worked and donated hours in excess of the employee's regular work schedule. Employees who continue to work while receiving pay through donated vacation hours will continue to accrue their own vacation, sick and personal

preference hours. Employees who are not working and their entire pay is received through donated vacation hours will not accrue additional vacation, sick and personal preference hours.

If the recipient employee has available vacation, sick or personal preference hours in his or her balance, that time must be used prior to any donated vacation hours. Donated vacation hours may only be used for time off related to the major disaster.

The number of donated vacation hours will be divided between employees who have submitted a Request for Leave Donation in a non-discriminatory fashion. Employees should not anticipate receiving donated vacation providing full pay each pay period. In any event, employees may receive no more than 480 hours (12 weeks) within a rolling 12-month period.

University Human Resource Management will review the employee's application and notify the employee of the approval or disapproval of the application within 10 calendar days after the date the application is received.

In determining the distribution of donated hours between applicants, the following factors may be considered:

- The employee's vacation, sick and personal preference leave usage history
 - Supervisors may consider if the employee has used leave accruals as a reasonable person would normally use accruals
 - Supervisors may not consider FMLA leave taken
- Duration of employment
- Anticipated duration of the employee's need
- Use of donated leave in the past

Nothing in this policy will be construed to limit or extend the maximum allowable absence under the Family and Medical Leave Act.

Issues pertaining to Leave Sharing Program eligibility, denial of application, amount of award, etc., are not subject to the grievance or appeal process.