

# Santa Barbara Unified School District

## Exhibit

All Personnel

E 4161.9

4261.9

4361.9

### UNIVERSAL CATASTROPHIC LEAVE BANK PROGRAM

#### I. STATEMENT OF PURPOSE

The Santa Barbara Unified School District (SBUSD) provides a Universal Catastrophic Leave Bank (UCAT Bank) to aid participating member employees who have a Catastrophic Illness or Injury and have exhausted their accrued leaves (sick leave, compensatory time, vacation leave). UCAT Bank membership is strictly voluntary with limited enrollment opportunities.

This program applies to all employee groups - certificated, classified, confidential and management - with the exception of substitute teachers, walk-on coaches, hourly certificated and hourly classified employees. The SBUSD shall follow all Health Insurance Portability and Accountability Act (HIPAA) laws and regulations. The identity of UCAT Bank members and recipients shall be confidential except as required to administer the program and for any required lawful purpose.

#### II. DEFINITIONS

The definition of catastrophic leave in Section 44043.5 of the California Education Code shall be the operating definition used to administer the program:

“Catastrophic illness or ‘injury’ means an illness or injury that is expected to incapacitate the employee for an extended period of time, or that incapacitates a member of the employee’s family which incapacity requires the employee to take off from work for an extended period of time to care for that family member, and taking time off work creates a financial hardship for the employee because he or she has exhausted all of his or her sick leave and paid time off.”

- A. Catastrophic Illness or Injury is further defined as an event requiring a prolonged hospitalization or a severe illness requiring a prolonged recovery and typically involving high costs for hospitals, doctors and prescriptions for an employee or qualifying family member (e.g., coma, cancer, leukemia, heart attack or stroke). The Catastrophic Illness or Injury must be certified by a qualified, licensed medical practitioner. Common short-term illnesses or injuries, such as flu, measles, or sprains, are not considered catastrophic.

UNIVERSAL CATASTROPHIC LEAVE BANK (UCAT BANK) - a pool of paid sick leave days/hours voluntarily contributed by employees, which, upon approval of the UCAT Bank Committee, may be allocated to member recipients experiencing a Catastrophic Illness or Injury.

UNIVERSAL CATASTROPHIC LEAVE BANK COMMITTEE (UCAT BANK COMMITTEE) - a group of two (2) certificated employees, two (2) classified employees, one (1) management employee who shall serve for a term of two (2) years, and at least one (1) management-level representative each from Human Resources and Payroll, who record UCAT Bank enrollment and review, verify, and authorize leave requests.

In conducting its business, a quorum shall consist of at least one (1) certificated representative, one (1) classified representative, one (1) management representative, one (1) Human Resources representative, and one (1) representative from Payroll. If a representative from Payroll is not available, a representative from Fiscal Services may serve as an alternate.

UCAT BANK HOURS/DAYS - the paid sick leave earned and contributed to the UCAT Bank by eligible employees and which, upon approval, may be transferred to member recipients. A day of paid leave is defined by a member's contracted work day.

MEMBER - an SBUSD employee who is enrolled in the UCAT Bank.

QUALIFYING FAMILY MEMBER - Education Code Section 45194 provides the basic definition of a family member. For purposes of the UCAT Bank, qualifying family member shall mean, a member of the immediate family, such as the mother, father, grandfather, grandmother, or a grandchild of the employee or the spouse of the employee; and the spouse, child, step-child, foster child, son-in-law, daughter-in-law, brother, sister or registered domestic partner of the employee; any relative living in the immediate household.

RECIPIENT - a UCAT Bank member approved to receive UCAT Bank leave hours.

### **III. PROCEDURE FOR ENROLLMENT, CONTRIBUTIONS AND MEMBERSHIP MAINTENANCE**

- A. UCAT Bank enrollment requires submission of a UCAT Bank Enrollment Form (to be created) and contribution of the required number of hours/days to the UCAT Bank. Eligible employees are required to contribute, at a minimum, the equivalent of one (1) day of sick leave, and, after this contribution, retain the equivalent of one (1) years' accrued sick leave. For example, a certificated teacher must retain a minimum of ten (10) days of sick leave after donating to the UCAT Bank. Provided they retain the equivalent of one (1) years' accrued sick leave, eligible employees may contribute as many days of sick leave as they wish.
- B. Enrollment in the UCAT Bank will be limited to the annual open enrollment period for health & welfare benefits, usually September 1 through September 30. Enrollment opportunities are intentionally limited to ensure that employees cannot enroll only when UCAT Bank leave is needed.
- C. An employee may withdraw from UCAT Bank membership at any time by submitting a Withdrawal Form. Hours/days the employee previously contributed to the UCAT Bank will not be returned to the employee.

- D. Days/hours contributed to the UCAT Bank shall be credited to UCAT Bank members on an hour-for-hour basis, regardless of the wage of the contributor(s) or recipient(s).
- E. The maximum number of days/hours available to a recipient per fiscal year shall be 30 days or 240 hours. A recipient in need of more than 30 days or 240 hours may reapply for additional time and the UCAT Bank Committee will review the request and render a decision within seven (7) work days.

#### **IV. ELIGIBILITY TO RECEIVE UCAT BANK LEAVE**

- A. To receive UCAT Bank leave an employee must:
  - 1. Be a member of the UCAT Bank;
  - 2. Be experiencing a Catastrophic Illness or Injury as defined in Section II.
  - 3. Have exhausted all other types of paid leave -- vacation leave, sick leave, compensatory time -- with the exception of differential pay defined in the Education Code which may be used concurrently with UCAT Bank leave;
  - 4. A member shall only receive the amount of UCAT Bank leave days/hours that are actually needed. Any excess allocation shall be returned to the UCAT Bank pool.
  - 5. UCAT Bank disbursements are subject to availability of hours and shall only occur if there is a positive balance in the UCAT Bank.
- B. Disbursement of UCAT Bank Hours will cease upon:
  - 1. Exhaustion of UCAT Bank days/hours;
  - 2. Exhaustion of the recipient's approved UCAT Bank allocation;
  - 3. End of the recipient's Catastrophic Illness or Injury;
  - 4. Recipient's return to a normal work schedule;
  - 5. Written request by the recipient.

#### **V. REQUESTING UCAT BANK LEAVE**

- A. Members that have exhausted or are near exhausting their available leave balances (to include sick leave, compensatory time, or vacation leave) may request UCAT Bank days/hours by submitting a Request for Use of UCAT Bank days/hours to Human Resources. If the employee is incapacitated, a family member or caretaker may apply on his/her behalf.
- B. Incomplete or unsigned forms will be denied.
- C. A member shall provide the required medical and/or other information relating to the need for days/hours. Failure to provide this information shall result in denial of the member's request.
- D. Request for Use of UCAT Bank hours will be processed in the order they are received.
- E. The UCAT Bank shall not have a negative balance. Requests for Use of UCAT Bank hours which exceed the UCAT Bank balance may only be approved for an amount equaling the available balance.

## **VI. PROCESSING REQUESTS**

- A. Requests shall be reviewed by the UCAT Bank Committee to determine eligibility and distribution of UCAT Bank days/hours. Only Catastrophic Illnesses or Injuries will be reviewed. Employee names will not be divulged outside the Committee to ensure confidentiality.
- B. Upon receipt of a properly completed Request for Use of UCAT Bank hours, the UCAT Bank Committee shall verify that the employee is enrolled in the UCAT Bank and eligible to receive hours.
- C. The UCAT Bank Committee will review the member's request and determine if it meets the criteria to receive an allocation of UCAT Bank hours.
- D. Each request will be considered on a case-by-case basis.
- E. If additional information is needed, a Human Resources member of the UCAT Bank Committee will contact the member directly.
- F. The UCAT Bank Committee will send the member a notice of approval or denial within seven (7) work days of receipt of the Request for Use of UCAT Bank hours.
- G. UCAT Bank Day/hour allocations shall be applied immediately following the exhaustion of the recipient's own accruals when the request is received prior to exhaustion.
- H. UCAT Bank days/hours will not be applied retroactively.
- I. Denial of a request for UCAT Bank days/hours shall be eligible for review by an appeals committee made up of two (2) Assistant Superintendents and one (1) management-level employee. In the event an appeal is denied, only certificated and classified members shall have the right to grieve the decision. The unit member shall be deemed the grievant, and the UCAT Bank Committee shall be deemed the District.

## **VII. USE OF UCAT BANK HOURS**

- A. Leave shall only be used for Catastrophic Illness or Injury as described herein.
- B. A recipient may not use more UCAT Bank hours than the number of hours normally scheduled. For example, a thirty (30) hour per week employee may not use forty (40) hours of UCAT Bank hours per week.
- C. A UCAT Bank member shall not accrue sick or vacation leave when utilizing UCAT Bank hours.

## **VIII. ANNUAL REVIEW**

- A. The UCAT Bank Committee shall meet at least annually to review the balance of hours in the UCAT Bank. Should the balance fall below 50 days, or 400 hours, the UCAT Bank Committee shall solicit additional contributions from eligible employees currently enrolled in the bank and eligible employees who are not currently enrolled.

SANTA BARBARA UNIFIED SCHOOL DISTRICT  
Santa Barbara, California      May 7, 2020