

CATASTROPHIC LEAVE AGREEMENT
Updated 2022

Definition:

- Catastrophic Leave is intended for exceptional and demonstrable hardship cases, and is not to be considered or treated as a routine extension of paid status for employees who have, by previous absences, exhausted their sick leave and vacation leave.
- The San Luis Coastal Unified School District Catastrophic Leave Program is intended to provide emergency financial support and to relieve financial hardship in situations where a serious illness or injury incapacitates the employee for an extended period of time, or incapacitates the employee's legally dependent family member (see eligibility), requiring the employee to be absent from work for an extended period of time to care for that family member.
- Due to the subjective nature of diagnosis for stress and other psychological illnesses, such illnesses shall not qualify for Catastrophic Leave unless they involve extended hospitalization.

Eligibility:

- To enroll in the catastrophic leave program, an employee must have been hired before September 1st of the previous year.
- Employees will be notified of the opportunity to enroll annually during the open enrollment period for health care options.
- Employees must enroll in the Catastrophic Leave Program before becoming eligible to request benefits. Participation is voluntary, but requires contribution to the program annually (see 'Fund Contributions'). Only current contributors will be permitted to draw from the program.
- All employees who have enrolled during the current year shall be eligible to apply for a discretionary paid leave of absence under the Catastrophic Leave Program.
- Eligible family members must be legally dependent as documented on the employee's tax returns (typically a spouse, registered domestic partner, or dependent child).
- An employee requesting Catastrophic Leave must use all available fully paid accrued leaves (sick leave, vacation, and disability) before Catastrophic Leave can commence. (See benefits section for information about applying during extended sick leave.)
- For the purpose of caring for family members, Catastrophic Leave begins after exhaustion of employee's available accrued leaves. (½ of annual accrual of Sick Leave, All PN, Vacation). After the Catastrophic Leave award is exhausted, the employee will be allowed to extend their remaining accrued sick leave and continuing vacation leave credits toward caring for family members.

Catastrophic Leave Committee and Authority:

- The Catastrophic Leave Committee is composed of one member from each of the employee groups: CSEA, SLCTA, SEIU, Confidential, MEC, as selected by each employee group's leadership. The Director of Human Resources will serve as the non-voting chairperson.
- Decisions to grant or deny requests are determined by the committee at its sole discretion.
- All committee deliberations are confidential, as are all medical reports and information submitted to the committee.
- The decision of the committee is final.
- A written copy of the committee's decision will be provided to the employee.
- The Catastrophic Leave program is not included in any agreement with any employee association.
- This Catastrophic Leave agreement may be terminated by the District at the end of any fiscal year.

Fund Contributions:

Starting July 1, 2016, employees may authorize a one-time payroll deduction to participate in the Catastrophic Leave program. Employees wishing to contribute will be required to donate the following every year:

- \$25 for classified employees who work less than 4 hours/day (.49 FTE)
- \$45 for classified employees working 4-7 hours/day (.5 - .875 FTE)
- \$75 for all classified employees working more than 7 hours/day (.876 – 1.0 FTE) and all certificated and management employees
- Participants who wish to participate will enroll every year during Open Enrollment.
- If the fund is depleted, no Catastrophic Leave is available until the subsequent year when new contributions are received.
- Fund contributions are not refundable to contributing employees.
- The Human Resources Department shall be responsible for receiving Catastrophic Leave requests and for maintaining the participation record of the Catastrophic Leave program.
- The Business Services Department will be responsible for handling the voluntary contributions and accounting for the applicant's payroll.

Process:

- To request Catastrophic Leave benefits, an employee must complete an application for the Catastrophic Leave program, provide medical certification as to the nature of the illness or injury, expected duration of need, and proof of legal dependence for family members, if applicable.
- Applicants agree to provide requested medical reports and waive the right to privacy for the purpose of seeking a Catastrophic Leave draw.
- The application for the Catastrophic Leave program shall be reviewed by the committee (see below), and a decision in writing will be rendered within fifteen (15) work days of receipt of a complete application.
- When the committee may reasonably presume that the applicant for a draw may be eligible for a disability award or a retirement under STRS or PERS or, if applicable, Social Security, the committee may request that the applicant apply for disability or retirement. Failure to do so shall disqualify the applicant from any further Catastrophic Leave draws. If denied benefits from a disability award, STRS, PERS, or Social Security, the applicant may continue to seek a Catastrophic Leave draw.
- The committee may grant, partially grant, or reject a request.
- All committee deliberations are confidential, as are all medical reports and information submitted to the committee.
- A written copy of the committee's decision will be provided to the employee.

Benefits of Catastrophic Leave:

- If approved by the Committee, an applicant may receive full salary, up to \$250 per day. . Catastrophic Leave will run concurrently with extended sick leave (i.e. differential pay). Any portion of a day will be counted as a full day of draw against the catastrophic leave allocation. If this is the case, catastrophic leave will make up the difference between extended sick leave pay and the employee's regular salary and benefits (not including Worker's Compensation). An applicant who is on extended sick leave may designate that any Catastrophic Leave granted be applied after all extended leave benefits have been exhausted. **Such designation must be made in writing before the beginning of catastrophic leave.**
- The District will continue to absorb the cost of statutory benefits and negotiated health insurance cost (including pro-rata agreement in contract) and all health and retirement benefits will remain in place. The employee's share of statutory benefits and health insurance costs will continue to be deducted from their pay.

Duration of Benefits:

- Draws from the Catastrophic Leave program shall be granted in units of no more than thirty (30) duty days. Participants may submit requests for additional draws in 30-day maximum increments as their prior grants expire.

- If a participant has drawn thirty (30) days from the Catastrophic Leave program, and requests an extension, the participant must submit an updated medical review by a physician at the participant's expense. Refusal to submit to the medical review will terminate the participant's continued draw from the program.
- The maximum benefit under Catastrophic Leave for any employee will be 60 days. When caring for a family member, the maximum benefit will be 45 work days.