



CORNELL UNIVERSITY
POLICY LIBRARY

Catastrophic Leave Donation

POLICY 6.9

Volume: 6, Human Resources
Chapter: 9, Time Away from Work
Responsible Executive: Vice President and Chief Human Resources Officer
Responsible Office: Workforce Policy and Labor Relations
Originally Issued: October 1980
Last Updated: February 5, 2019

POLICY STATEMENT

Cornell University provides catastrophic leave donation to assist eligible staff members who have experienced a catastrophic, health-related event and have exhausted all accruals, with the exception of up to five days of vacation, which he/she may elect to save. When they have determined that the eligibility requirements for Catastrophic Leave Donation have been met, colleges and units have the flexibility to administer leave donation cases using their established procedures.

REASON FOR POLICY

Cornell University is supportive of staff members who wish to assist colleagues who have experienced a catastrophic, health-related event.

ENTITIES AFFECTED BY THIS POLICY

- All units of the university, excluding Weill Cornell Medical College

WHO SHOULD READ THIS POLICY

- After completing one year of university service, regular full- and part-time nonacademic staff members and academic staff members who accrue vacation
- College and unit human resource representatives
- Managers and supervisors of eligible staff

WEB ADDRESS FOR THIS POLICY

- This policy: www.dfa.cornell.edu/tools-library/policies/catastrophic-leave-donation
- University Policy Office: www.policy.cornell.edu/

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RELATED RESOURCES

University Policies and Documents

[University Policy 6.2.1, Leaves for Professors and Academic Staff](#)

[University Policy 6.6.13, Flexibility in the Workplace](#)

[University Policy 6.9, Time Away From Work](#), sections on Medical Leaves for Staff, Family Leaves for Staff, Vacation, and Health and Personal Leave

University Forms and Systems

[Catastrophic Leave Donation Form](#)

[Catastrophic Leave Call for Donations Letter \(Sample\)](#)

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CONTACTS

Direct any general questions about this policy to your college or unit administrative office. If you have questions about specific issues, contact the following offices.

Subject	Contact	Telephone	E-mail/Web Address
Policy Clarification and Interpretation	Local Human Resource Representative	Unit-specific	www.hr.cornell.edu/about/hr_leaders.html
	Workforce Policy and Labor Relations	(607) 255-4652	equalopportunity@cornell.edu
Benefits, Medical Leaves Administration, Endowed and Contract Colleges	Benefit Services	(607) 255-1177	benefits@cornell.edu www.hr.cornell.edu/benefits/
Payroll Matters	University Payroll	(607) 255-5194	uco-payroll@cornell.edu www.payroll.cornell.edu

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DEFINITIONS

These definitions apply to terms as they are used in this policy.

Catastrophic Event	An extremely severe, health-related situation necessitating the staff member's absence from work for an extended period of time. These events are one's own terminal, life-threatening, other grave illness/injury, or a family member's terminal, life-threatening, or other grave illness/injury.
Family Member	A spouse, partner, parent/legal guardian, child (includes biological, adopted, foster, or stepchild), or any person who is dependent upon the staff member for care.

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RESPONSIBILITIES

The major responsibilities each party has in connection with this policy are as follows:

College/Unit Human Resource Representative or Designee	<p>Administer catastrophic leave donation cases in accordance with this policy and established college/ unit practices.</p> <p>Receive requests for catastrophic leave donations.</p> <p>Evaluate cases for eligibility under this policy in consultation with appropriate leadership in the college or unit.</p> <p>Request assistance from Medical Leaves Administration if medical verification is needed in the administration of this policy.</p> <p>Inform college/unit staff members that voluntary donations are being accepted.</p> <p>Maintain accurate record keeping at the college/unit level, and communicate transfers and credits of donated leave to the central Payroll office on a timely basis.</p> <p>Designate the recipient's absence in accordance with the appropriate leave policy (e.g., short-term disability, family and medical leave, personal leave, etc.).</p>
Medical Leaves Administration - Benefits	<p>Obtain necessary medical information in order to consult, upon request, with the college/unit human resources office as to whether a case qualifies as a catastrophic event under this policy.</p>

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PRINCIPLES

Purpose

The Catastrophic Leave Donation policy calls for Cornell colleges/units to establish and administer voluntary leave donation programs that provide a means to assist staff members who experience a catastrophic event and have exhausted their paid leave benefits, with the exception of up to five days of vacation which the staff member may elect to save. Catastrophic Leave Donation programs allow regular staff members who have completed one year of service to voluntarily donate accrued leave to another regular staff member within their college/unit.

Because of the diverse funding and operational nature of Cornell colleges/units, some of the guidelines described in this Catastrophic Leave Donation policy are broadly defined. This gives colleges and units the flexibility to adapt such guidelines to fit their respective organizational needs. However, catastrophic leave donation guidelines must be consistently administered within each college/unit.

Intent

Cornell University provides eligible staff with generous paid time away from work benefits including, but not limited to, health and personal leave and vacation accruals. It is expected that staff members will exhibit good stewardship over their health and personal leave and vacation accruals by maintaining adequate balances if extended time away from work ever becomes necessary. However, the university realizes that a situation may arise in which a staff member may experience a catastrophic event and has exhausted (or nearly exhausted, in the case of vacation) his or her paid leave benefits. The university wishes to allow university staff members to assist colleagues in these situations.

◆**Note:** This program is not an additional leave entitlement or benefit, but rather a means of allowing staff members in Cornell University colleges/units to assist colleagues in need.

◆**Caution:** Confidentiality is an important aspect of the catastrophic leave donation program, and it is expected that all staff members, (e.g. donors, recipients, administrators, supervisors), regardless of their decision to participate in a catastrophic leave donation, will do their part to maintain such confidentiality.

Eligibility

Upon completion of one year of service, all full- or part-time staff in a regular nonacademic position, and academic staff who accrue vacation are eligible to participate, either by donating time (donors) or by accepting donations (recipients).

In addition, donors and recipients must meet the following criteria:

Donors

Staff members are eligible to donate paid leave if they have a minimum combined total of 15 days of vacation and health and personal leave **after** making the donation.

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PRINCIPLES, continued

Recipients

- All accrued vacation, health and personal leave and other paid leave (if any) must be exhausted before receipt of donated leave, with the exception of up to five days of vacation, which the staff member may elect to save.
- The staff member must not have a disciplinary history related to the abuse of leave time or absenteeism on record prior to the need for the donated leave.

Conditions of Making or Receiving Donations

The following conditions apply to donations of paid leave made or received:

- Donations may be made only in response to a catastrophic event.
- The absence must be expected to continue for an extended period of time, but it does not have to be in consecutive or full days to qualify for donated leave.
- The maximum amount of vacation or health and personal leave that may be donated by an employee is 10 days, in total, per fiscal year.
- Donations must be made in full-day increments. A full day equals one-fifth of the donor's standard weekly hours of appointment. For example, a full day = 8 hours for 40 standard weekly hours, and a full day = 4 hours for 20 standard weekly hours.
- Accruals that the donor would otherwise forfeit or not be entitled to use are not eligible to be donated.
- The recipient will only be provided with the amount of donated leave that is actually needed (e.g., excess or unused donations will not be kept by the recipient).
- Medical verification of the illness or condition may be required by the college/unit only if such requests are coordinated through the Division of Human Resources' Medical Leaves Administration.
- An individual's ability to receive donated leave may be limited if s/he is paid from a grant, contract, or other restricted funding source. This may require the recipient to be paid from another funding source.
- Donations of leave may not be used to extend the recipient's employment beyond the end of the term of appointment or the point at which it would otherwise end by operation of law, policy, rule, administrative prerogative, or regulation (e.g., the end of a short-term disability).
- The conversion of donated leave to a recipient's accrual will be done on a day-for-day basis.
- Whether recipients earn health and personal or vacation accruals while using donated paid leave will be determined by the specific leave policy that applies to their absence.

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PRINCIPLES, continued

Tax Implications

Donors

The donor receives no benefits or tax penalties for the donation.

Recipients

The use of any donated leave (i.e., additional vacation and/or health and personal days) constitutes wages for the recipient subject to all payroll tax withholding.

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PROCEDURES

Requesting Donations

Request for catastrophic leave donations must be submitted for consideration to the local human resources (HR) representative for the college or unit in which the intended recipient is employed.

Processing Donations

The Catastrophic Leave Donation program is intended to be used on a case-by-case basis when a qualifying catastrophic event involving a staff member is brought to the attention of the college/unit HR representative or designee. The college/unit HR representative or designee is responsible to do the following in such cases:

1. Review the prospective recipient and donor eligibility in consultation with the appropriate college/unit representatives, including verification with Medical Leaves Administration that the illness or condition qualifies as catastrophic, if required. If the decision of the designated college/unit representative(s) is to deny the request for catastrophic leave donation, the decision may be appealed in writing to the dean or vice president of the college/unit within one week of the initial denial, and the decision of the dean or vice president will be final.
2. Inform college/unit staff members that voluntary donations are being accepted.
3. Maintain accurate record keeping involving transfers and credits of donated leave.
4. Designate the recipient's absence in accordance with the appropriate leave policy (e.g., short-term disability, family and medical leave, personal leave, etc.). If the absence qualifies under the Family and Medical Leave Act (FMLA), such leave time shall be charged against the recipient's 12-week FMLA entitlement. The unit reserves the right to approve, deny, continue, or discontinue a leave in accordance with the provisions of the specific leave policy, regardless of the amount of donations available.

Making Donations

Eligible staff members must request to donate leave voluntarily and formally by submitting the Catastrophic Leave Donation Form to the designated college/unit HR officer or designee (see Related Resources).

◆**Caution:** Personal solicitation of donations by staff members is prohibited.