



ADMINISTRATIVE PROCEDURES

Procedure Number: 23-46

Effective Date: 09/20/2013

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County Administrator

SUBJECT: **Catastrophic Leave Bank (CAT BANK) Program**

DEPARTMENT RESPONSIBLE: **Human Resources Department**

I. STATEMENT

Pima County provides a Catastrophic Leave Bank (CAT Bank) program to assist member employees who have qualifying events and have exhausted their accruals (sick leave, compensatory time, and annual leave). CAT Bank membership is strictly voluntary with limited enrollment opportunities.

This procedure applies to all Pima County departments with the exception of Juvenile Court, Superior Court and Clerk of the Superior Court and provides guidelines for CAT Bank enrollment and administration. Pima County shall follow all Health Insurance Portability and Accountability Act (HIPAA) laws and regulations. The identity of CAT Bank members and recipients shall be confidential except as required to administer the program and for any required lawful purpose to avoid any semblance of pressure or coercion on an employee's decision regarding CAT Bank enrollment.

II. DEFINITIONS

CATASTROPHIC CIRCUMSTANCES – when a member employee with a qualifying event (defined below) lacks adequate personal leave accruals to cover resulting absences.

CATASTROPHIC LEAVE BANK (CAT BANK) – a pool of accrued sick and annual leave voluntarily contributed by employees which, upon approval of the CAT Bank Administrator, may be allocated to member recipients experiencing catastrophic circumstances.

CAT BANK ADMINISTRATOR – an employee of the Human Resources Department who records CAT Bank enrollment and reviews leave requests to verify timely submission and accuracy of information. The CAT Bank Administrator also communicates with Payroll and program-related committees, tracks all leave and provides reports as needed.

CAT BANK ELIGIBLE POSITION – A position within a department that participates in the CAT Bank program and which qualifies for sick and annual leave accruals.

CAT BANK LEAVE – the paid leave earned and contributed to the CAT Bank by members and which, upon approval, may be transferred to member recipients.

DOMESTIC PARTNER – an unmarried adult with whom the employee cohabits, is financially interdependent, and maintains a domestic partnership.

DOMESTIC PARTNERSHIP – a relationship that meets the criteria outlined in the Pima County Affidavit of Domestic Partnership. An employee must have a current affidavit on file with Human Resources in order to receive benefits for his or her domestic partner and/or the domestic partner's children. Benefits include the use of CAT Bank Leave to provide care for a domestic partner.

FAMILY AND MEDICAL LEAVE ACT (FMLA) OF 1993 - the federal law that requires employers to provide eligible employees with up to twelve (12) work weeks of unpaid, job-protected leave in a twelve (12) month period for qualifying family and medical reasons.

FAMILY AND MEDICAL LEAVE (FML) – the administration of FMLA at the County level and within County guidelines. County FML provisions may exceed those provided under the FMLA.

HEALTH INSURANCE BENEFITS & WELLNESS ADVISORY COMMITTEE (HIBWAC) – a group established by the Board of Supervisors for the purpose of meeting with active employee stakeholders to advise the County Administrator concerning health benefits and wellness programs.

HIBWAC CAT BANK SUBCOMMITTEE – a group that meets quarterly to review CAT Bank status and the use of CAT Bank Leave. Members are bound by the County HIPAA business associate agreement and include one (1) member from an employee organization authorized to meet and confer, one (1) member from law enforcement/corrections, one (1) member from County Administration, and the non-voting Chair of HIBWAC, who shall also serve as the non-voting Chair for the CAT Bank subcommittee.

MEMBER – a Pima County employee who is enrolled in the CAT Bank and meets and maintains membership requirements.

QUALIFYING EVENTS – occurrences listed below and as currently defined by the Family and Medical Leave Act (FMLA) using 29 CFR § 825 and Pima County Administrative Procedure 23-37:

1. The employee's own serious health condition that makes the employee unable to perform one or more essential job functions
2. Caregiving of the employee's spouse, son, daughter, parent or domestic partner with a serious health condition
3. A military qualifying exigency while the employee's spouse, son, daughter, parent or domestic partner (the "military member") is on covered active duty or has been notified of an impending call or order to covered active duty status
4. Caregiving of a covered service member ("military caregiving") with a serious injury or illness if the employee is the spouse, son, daughter, parent, domestic partner or next of kin of the covered service member

RECIPIENT – a CAT Bank member approved to receive CAT Bank Leave.

SPOUSE –the employee's legally married husband or wife. Domestic partners and fiancés are not considered spouses.

III. PROCEDURE

A. Enrollment, Contributions & Membership Maintenance

1. CAT Bank enrollment requires completion of the Catastrophic Leave Bank Program Enrollment Form (Attachment 1) and contribution of the required number of leave hours to the CAT Bank. Eligible full-time employees are required to contribute sixteen (16) hours and eligible part-time employees (working less than eighty (80) hours per pay period) are required to contribute at least eight (8) hours but have the option to contribute sixteen (16) hours to be eligible for the higher allocation (see table below). When an enrollment contribution is collected from an employee, available sick leave will be withdrawn first and any remaining balance will be withdrawn from available annual leave accruals. Upon successful completion of enrollment, the employee will be granted CAT Bank “member” status.

Cat Bank FT / PT Enrollment, Maintenance & Allocation Levels	Leave Hours Required to Enroll	Leave Hours Required to Maintain Membership <i>See III.A.9.a below</i>	Maximum Allocation of Hours per Fiscal Year <i>See III.C.2 below</i>
Eligible Full-Time Employee (80 hours/pay period)	16	Up to 8 hours annually	240 hours
Eligible Part-Time Employee (less than 80 hours/pay period)	8	Up to 4 hours annually	120 hours
Eligible Part-Time Employee (less than 80 hours/pay period) Joining at the FT Level	16	Up to 8 hours annually	240 hours

2. Newly hired employees may enroll in the CAT Bank within sixty (60) calendar days following date of hire into a CAT Bank eligible position. New hire enrollment contributions will be made from the first sixteen (16) hours of available accrued leave for full-time employees (or part-time employees joining at the full-time level) and from the first eight (8) hours of available accrued leave for part-time employees.
3. Part-time employee members who transition to full-time CAT Bank eligible positions will have two (2) pay periods to contribute an additional eight (8) hours of available accrued leave to the CAT Bank if they originally joined at the part-time level. Full-time members who transition to part-time CAT Bank eligible positions will not receive previously contributed hours however they may opt to retain the higher participation level as long as maintenance contributions are made at the full-time level.
4. An employee who transitions from a non-CAT Bank eligible position to a CAT Bank eligible position will be treated like a new hire (see item III.A.2 above) for enrollment purposes. The employee will have sixty (60) calendar days after transitioning to the new position to join the CAT Bank. An employee who transitions from a CAT Bank eligible position to a position ineligible for CAT Bank Leave will no longer be a CAT Bank member and prior contributions will be forfeited.
5. Investment of sick leave hours for enrollment in the CAT Bank or for membership maintenance contributions shall neither count toward nor reduce the unused

- portion of sick leave that an employee may convert to annual leave as set out in Personnel Policy 8-106.
6. Employees that elected/elect not to participate in the CAT Bank either as a new hire or during an open enrollment may not have the option to enroll at a later date. Enrollment opportunities are intentionally limited to ensure that employees cannot enroll only when CAT Bank Leave is needed.
 7. An employee may cancel enrollment in the CAT Bank at any time by providing thirty (30) calendar days' written notice by email to the CAT Bank Administrator (CATBankAdmin@pima.gov). Hours previously contributed to the CAT Bank will not be returned to the employee.
 8. Hours contributed to the CAT Bank shall be credited to CAT Bank members on an hour-for-hour basis, regardless of the wage of the contributor(s) or recipient(s).
 9. HIBWAC shall conduct annual reviews of CAT Bank balances to determine the need, if any, for ongoing member maintenance contributions. If CAT Bank balances drop below a predetermined level, CAT Bank members will be required to contribute sick and/or annual leave as outlined in the table in item III.A.1.
 - a. When a maintenance contribution is collected from a member, available sick leave will be withdrawn first and any remaining balance will be withdrawn from available annual leave accruals.
 - b. If a CAT Bank member will not have enough sick and annual leave for the contributions to be withdrawn when due, the employee shall notify the CAT Bank Administrator by email (CATBankAdmin@pima.gov) at least one (1) pay period prior to the contribution collection date. When necessary, arrangements may be made for the employee to make a maximum of two (2) installment contributions over two (2) pay periods.
 - c. A CAT Bank member who is on a continuous leave of absence and does not have adequate leave accruals to make the full maintenance contribution will not be eligible to use CAT Bank Leave for the new fiscal year until there are adequate leave accruals available for the maintenance contribution to be withdrawn. The member must make the maintenance contribution within two (2) pay periods after returning to work.
 - d. If an employee does not have adequate leave accruals available to make a full maintenance contribution by the deadline or within the two (2) pay periods following the deadline (see III.9.b above), the employee's CAT Bank enrollment shall be canceled. Partial hours contributed toward the maintenance contribution shall be returned to the employee.
 - e. New CAT Bank members are exempt from mandatory maintenance contributions due within their first year of enrollment.
 10. County employees may opt to voluntarily contribute sick or annual leave hours to the CAT Bank during their anniversary pay period by contacting the CAT Bank Administrator by email (CATBankAdmin@pima.gov) at least two (2) full pay periods prior to their anniversary date to arrange the contribution of leave hours.
 11. A County employee separating from County employment due to retirement or layoff, with a sick leave balance greater than 240.01 hours, may opt to contribute sick leave hours to the CAT Bank before converting the remaining balance (after

contribution) of 240.01 hours or more to annual leave as set forth in Personnel Policy 8-106, items H and I.

A County employee separating from County employment due to retirement or layoff, with a sick leave balance of 240 hours or less, may opt to contribute sick leave hours to the CAT Bank.

Permanent status County employees who resign in good standing in accordance with Merit System Rules may opt to contribute their sick leave balance to the CAT Bank.

Employees interested in exercising any of these options must contact the CAT Bank Administrator by email (CATBankAdmin@pima.gov) at least one (1) pay period prior to their separation date. Prior to leaving County employment, they must also sign a form acknowledging understanding that sick leave hours donated to the CAT Bank are not eligible for reinstatement pursuant to Personnel Policy 8-106 F.2 and as set forth in Administrative Procedure 23-15.

B. Eligibility for Membership and to Receive CAT Bank Leave

1. Only CAT Bank members may receive CAT Bank Leave. To be eligible to become a CAT Bank member, an employee must:
 - a. Work in a participating department;
 - b. Be eligible to use sick leave as set out in Personnel Policy 8-106.
2. To receive CAT Bank Leave, members must meet the following criteria:
 - a. Be experiencing a qualifying event as defined in this procedure;
 - b. Be on an approved unpaid leave of absence to include:
 1. FML;
 2. Medical Leave; or
 3. Humanitarian/Personal Leave for the serious illness of a child, spouse, parent, domestic partner or the child of a domestic partner;
 - c. Work at least six (6) months in a position that qualifies for leave accruals when normally scheduled hours are worked;
 - d. Have exhausted or will exhaust all leave banks including sick leave, compensatory time and annual leave by the time CAT Bank Leave would be received.

C. Allocation of Time

1. A member may receive up to a predetermined allocation of CAT Bank Leave per fiscal year as outlined in the table in item III.A.1.
2. Special allocation: If the qualifying event is an approved Workers' Compensation/Industrial Commission of Arizona (ICA) condition, the member may request up to a maximum of one (1) additional allocation per fiscal year from the CAT Bank, equivalent to the first allocation, as outlined in the table in item III.A.1. This request must be made prior to exhaustion of the first allocation. The determination of whether additional CAT Bank Leave will be granted shall be made in consultation with Risk Management.

3. A member shall only receive the amount of CAT Bank Leave that is actually needed. Any excess allocation shall be returned to the CAT Bank.
4. CAT Bank disbursements are subject to availability of hours and shall only occur if there is a positive balance in the CAT Bank.
5. Disbursement of CAT Bank Leave will cease upon:
 - a. exhaustion of CAT Bank Leave;
 - b. exhaustion of the recipient's approved CAT Bank allocation;
 - c. end of the recipient's qualifying event;
 - d. end of the recipient's eligibility to receive CAT Bank Leave as outlined in item III.B. above;
 - e. recipient's return to working a normal work schedule;
 - f. termination or death of the recipient; or
 - g. written request by the recipient.

D. Requesting CAT Bank Leave

1. Members that have exhausted or are near exhausting their available leave balances (to include sick leave, compensatory time and annual leave) may request CAT Bank Leave by submitting a CAT Bank request form (Attachment 2) to the CAT Bank Administrator.
 - a. Continuous Leave: When the request for CAT Bank Leave is to cover a continuous unpaid leave of absence, the employee must submit one (1) CAT Bank request form to cover the entire continuous leave period. End dates may be estimated if a return date is unknown. CAT Bank request forms for continuous leave must be received by the CAT Bank Administrator no later than the last Thursday of the pay period to receive allocations during the pay period. If the leave changes to intermittent, a new request form must be submitted as outlined in section III.D.1.b below.
 - b. Intermittent Leave: When the request for CAT Bank Leave is to cover intermittent leave, the employee must submit a new CAT Bank request form to the CAT Bank Leave Administrator within the first week of each pay period during which he/she will be utilizing CAT Bank Leave.
2. Late and incomplete forms will be denied.
3. A member shall provide medical and/or other information relating to the need for leave. Failure to provide this information shall result in denial of the member's request.
4. The member must be on an approved leave of absence by the end of the pay period for which CAT Bank Leave is requested.
5. CAT Bank Leave requests will be processed in the order received.
6. The CAT Bank shall not have a negative balance. Therefore, CAT Bank Leave requests which exceed the CAT Bank balance may only be approved for an amount equaling the available balance.

E. Processing Requests

Requests shall be reviewed to determine proper usage and distribution of CAT Bank Leave. Only event circumstances will be reviewed. Names will not be divulged to ensure confidentiality.

1. Upon receipt of a properly completed request form, the CAT Bank Administrator shall verify that the member is enrolled in the CAT Bank and eligible to receive CAT Bank Leave. The member must be on an approved leave of absence by the end of the pay period for which CAT Bank Leave is requested.
2. The CAT Bank Administrator will review the member's request and determine if the event meets the criteria for a CAT Bank Leave allocation.
 - a. Each request will be considered on a case-by-case basis.
 - b. If additional information is needed, the CAT Bank Administrator will contact the member directly.
 - c. The CAT Bank Administrator shall require the member to provide confirmation of a family relationship (e.g., spouse, parent, child, domestic partner or next-of-kin) if applicable and not already on file with the County.
3. The CAT Bank Administrator will send the member a notice of approval or denial.
4. CAT Bank Leave allocations shall be applied immediately following the exhaustion of the recipient's own accruals when the request is approved prior to exhaustion.
5. If a CAT Bank Leave allocation is approved after the exhaustion of accruals, leave will not be applied retroactively to prior pay periods.
6. Denial of a request for CAT Bank Leave is neither grievable nor appealable.

F. Use of CAT Bank Leave

1. Leave shall only be used for the approved reason.
2. A recipient may not use more leave hours than the number of hours normally scheduled. For example, a thirty (30) hour per week employee may not use forty (40) hours of CAT Bank Leave per week.
3. A CAT Bank member shall not accrue sick and annual leave on CAT Bank Leave utilized.
4. Misuse of CAT Bank Leave or an attempt to misuse CAT Bank Leave shall result in approval ending or being rescinded. A member fraudulently using CAT Bank Leave shall be required to pay back the hours, subject to corrective action and removed from CAT Bank membership.

G. Annual Reviews

1. An annual assessment of CAT Bank Leave balances shall be conducted by the HIBWAC CAT Bank Subcommittee (the subcommittee). The subcommittee shall:
 - a. determine whether a need **exists** to restore the CAT Bank Leave balance to an adequate level through member maintenance contributions of leave accruals;
 - b. recommend to the Meet & Confer Committee whether or not to adjust the level of CAT Bank Leave available for disbursement to members under the program.
2. The Meet & Confer Committee shall review the CAT Bank Program annually.

IV. RESPONSIBILITIES

Appointing Authorities retain the authority to approve leaves of absence without pay in accordance with Personnel Policy 8-108.

Member Employees must not use or attempt to use CAT Bank Leave for reasons or conditions other than those approved by the CAT Bank Administrator. Misuse shall result in approval being rescinded and removal from the CAT Bank and will be grounds for corrective action up to and including dismissal or termination.

Departments are responsible for notifying the CAT Bank Administrator upon an employee's return to work and/or change in Workers' Compensation/ICA status.

Pima County Human Resources (HR) shall manage the CAT Bank and related considerations, including breaches of confidentiality or allegations of pressure or coercion in the solicitation of contributions to the CAT Bank. HR shall also maintain the official CAT Bank files and archive and purge documents pursuant to Federal and State laws and the Arizona State Library, Archives and Public Records retention schedule.

Attachment 1
Employee Enrollment Contribution Form



Employee Enrollment
Contribution Form

CATASTROPHIC LEAVE BANK
For best results, please complete this form electronically.

Deliver to CAT Bank at CATBankAdmin@pima.gov,
150 W Congress, 4th floor or by Fax 520-791-6514.

Employee Name:		ER#: _____	Date of Request:	
Current Mailing Address:		City: _____	State: _____	Zip: _____
Job Title/Classification:	Department Name/Code		Date of Hire	
Please send CAT Bank correspondence to: (select all that apply)		Work days (ex: M-F): _____	Work Phone: _____	
<input type="checkbox"/> My mailing address above.		Hours worked per day: (ex: 8 hrs)	Home Phone: _____	
<input type="checkbox"/> My work email: _____			Cell Phone: _____	
<input type="checkbox"/> My home email: _____				

In accordance with Pima County Personnel Policies and Administrative Procedure 23-46, I agree that:

- I am electing to enroll and participate in the Pima County Catastrophic Leave Bank Program.**
Please take sick and annual leave, as it accrues, in the amount indicated below.
- I am a full-time employee and understand there is an initial contribution requirement of 16 hours.
 - I am a part-time employee and understand there is an initial contribution requirement of 8 hours.
 - I am a part-time employee enrolling at the higher full-time level and understand there is an initial contribution requirement of 16 hours.
- I do not want to enroll or participate in the Pima County Catastrophic Leave Bank Program.**
I understand that I will not have the option to enroll or participate at a later time.

I understand and acknowledge by submitting this form that:

- I have read and understand Administrative Procedure 23-46 Catastrophic Leave Bank Program (CAT Bank).
- I am eligible to apply for CAT Bank membership.
- I know my options regarding becoming a member of the CAT Bank.
- I may be required to contribute up to a maximum of 8 hours annually for full-time enrollment or 4 hours annually for part-time enrollment.

Name and Signature of Employee	Date
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CAT BANK Use Only

Date Form Received:	70114	Hours Donated:	# hrs Sick	# hrs Annual
Date of hire:		ppe _____	_____	_____
Enrollment is:	<input type="checkbox"/> Complete <input type="checkbox"/> Cancelled	ppe _____	_____	_____
Effective Date of enrollment:		ppe _____	_____	_____
CAT Bank Admin Signature/date:		ppe _____	_____	_____

E - CAT

Attachment 2
Member Request for CAT Bank Leave Hours form



CATASTROPHIC LEAVE BANK
For best results, please complete this form electronically.

[Clear Form](#) [Print Form](#) [Save Form](#)

**Member Request for
CAT Bank Leave Hours**

Deliver to CAT Bank at CATBankAdmin@pima.gov,
150 W Congress, 4th floor or by Fax 520-791-6514.

CAT Bank Member Name:		EIN:	Date of Request:	
Current Mailing Address:		City:	State:	Zip:
Job Title/Classification:	Department Name/Cod:		Date of Hire:	
Please send CAT Bank correspondence to: (select all that apply) <input type="checkbox"/> My mailing address above. <input type="checkbox"/> My work email: _____ <input type="checkbox"/> My home email: _____		Work days (ex. M-F): _____ Hours worked per day: (ex: 8 hrs) _____	Work Phone: _____ Home Phone: _____ Cell Phone: _____	
I understand and acknowledge by submitting this form that: • Approved CAT Bank Leave hours may only be used for the reason(s) indicated below. • I have read and understand Administrative Procedure 23-46.				
Reason for Leave:		<i>Refer to Administrative Procedure 23-46 for definitions</i>		
I am currently on the following leave of absence without pay (check type): <input type="checkbox"/> FML <input type="checkbox"/> Humanitarian/Personal Leave <input type="checkbox"/> Medical Leave of Absence				
For: (check reason) <input type="checkbox"/> Employee's own health condition This injury is related to an OSHA Work-related Compensation claim: <input type="checkbox"/> No <input type="checkbox"/> Yes Claim#: _____ <input type="checkbox"/> To care for a family member with a serious health condition: Name: _____ Relationship: _____ Date of Birth: _____ Military Qualifying Emergency Military Member: _____ Military Caregiving Name of Covered Servicemember: _____				
Anticipated Dates of CAT Bank Leave:				
<input type="checkbox"/> Intermittent: I am requesting CAT Bank Leave hours on an intermittent basis. For pay period ending _____, I am requesting # _____ hours. (Hour increments) I anticipate using CAT Bank hours on the following dates: _____ <input type="checkbox"/> Continuous: I am requesting CAT Bank Leave hours on a continuous basis. Date accruals exhaust(ed): _____ Estimated date of return to work: _____				
Name and Signature of Employee:			Date:	
CAT BANK Use Only				
Received:	Entered:	Hours Used:	# hrs used	Initials
Information is needed: <input type="checkbox"/> On File <input type="checkbox"/> Requested: _____		ppe _____	_____	_____
Information Received on: _____		ppe _____	_____	_____
Employee: <input type="checkbox"/> Qualifies <input type="checkbox"/> Does Not Qualify		ppe _____	_____	_____
CAT Bank Leave hours are: <input type="checkbox"/> Approved <input type="checkbox"/> Denied		ppe _____	_____	_____
Total hours: _____		ppe _____	_____	_____
CAT Leave start: _____	CAT Leave end: _____			
CAT Bank Admin Signature/date:		Payroll Signature/date:		R-CAT