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**Article \_\_\_: Donations for Hardship Leave**

This Article establishes a process through which OT-AAUP members may irrevocably donate accrued leave time for use by another OT-AAUP member who has both exhausted their leave and complied with the hardship donation request process. Hardship leave donations will be administered as described herein and shall be strictly enforced with no exceptions.

**Section 1.** Hardship Leave is intended to support OT-AAUP members who have exhausted all forms of accumulated leave. Applications for hardship leave is limited to situations where the member or one (or more) qualifying family members is experiencing temporary serious medical condition(s). For purposes of this Article, a qualifying family member is anyone considered an immediate family member under the Family Medical Leave Act (FMLA) or the Oregon Family Leave Act (OFLA).

**Section 2.** Applications for hardship leave shall be submitted to Oregon Tech’s Office of Human Resources (OHR) and accompanied by the treating medical provider written statement certifying that the specific illness or injury will continue for at least fifteen (15) consecutive calendar days for the specific illness or injury, following the member’s projected exhaustion of their accumulated leave. Hardship Leave Donations are intended to coincide with the use of leaves protected by FMLA, OFLA, and the Americans with Disabilities Act (ADA), when applicable. Donated leave may be used intermittently when there is such a need as indicated by the treating medical provider. Use of hardship leave donations outside of these intended programs is at the discretion of Oregon Tech.

**Section 3.** Applications for hardship leave should be made prior to the member falling into leave without pay status. Once approved, members must exhaust all monthly accrued leave prior to the use of any donated Hardship Leave. Hardship leave shall not be approved retroactively, absent a compelling reason.

**Section 4.** Donated hours may be used to provide salary payments to the member and also to reimburse Oregon Tech for such costs as are incurred for insurance contributions, The Employer shall not assume any tax liabilities that would otherwise accrue to the employee.

**Section 5.** Employees receiving Workers’ Compensation, or short or long-term term disability, will not be considered eligible to receive donations under this Article. Employees on parental leave that does not qualify for leave under the FMLA and/or OFLA, will not be eligible to receive donations under this Article.

\*Oregon Tech reserves the right to add to, modify, or amend proposals during the course of negotiations.

42 **Section 6.** If a hardship donation recipient retires, resigns, dies, or otherwise fails to  
43 exhaust donated leave for the purpose for which it was donated, the unused leave will be  
44 pooled for use by future recipients. Unused donated leave will be transferred to the pool  
45 after the treating medical provider has certified that the illness or injury for which the  
46 leave was donated has been resolved and the hardship leave case is closed.

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48 **Section 7.** OT-AAUP members may irrevocably donate accumulated leave into the  
49 Hardship Leave bank at any time and to meet the needs of a specific member. Such leave  
50 will typically mean sick leave, but vacation accruing 12-month members may also donate  
51 such time. When there are insufficient hours in the bank to meet pending or approved  
52 applications for leave, OHR shall contact the Local Union President, or designee, who  
53 may share with the OT-AAUP members a request for donations. It is the sole responsibility  
54 of the OT-AAUP to communicate with its members about the donation process, hardship  
55 program, and when there is a specific need for donated hours.

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57 **Section 8.** Upon request by the Local Union President, or designee, and no more than  
58 once per year, Oregon Tech will provide a report with the following information for the  
59 preceding year for each Hardship Leave case: donated hours and converted dollar  
60 amounts, used hours, and pooled dollar amounts. Upon request by the Local Union  
61 President, or designee, and no more than quarterly, Oregon Tech will provide the bank  
62 balance.

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