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Major Disaster Leave-Sharing Plan for Eligible NU Employees Impacted by the 2019 Storm and Flooding

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Scope

Pursuant to the University President's directive, NU has created a plan allowing eligible employees to request major disaster leave if they are adversely affected by the 2019 Storm and Flooding (as defined below). The plan also allows vacation leave-eligible employees to donate vacation leave to the Major Disaster Leave Bank.

Definitions

- "2019 Storm and Flooding" means the severe winter storm and flooding beginning on March 9, 2019 and continuing for subsequent periods, as described in the March 21, 2019 Notice from the Federal Emergency Management Agency ("FEMA") (Docket ID FEMA-2019-001).
- "Disaster Leave Donor" means a vacation leave-eligible employee who donates vacation leave to the Major Disaster Leave Bank.
- "Disaster Leave Recipient" means a vacation leave-eligible employee whose request for Major Disaster Leave is approved under this Plan.
- "Disaster Period" means the period of time beginning March 21, 2019 and ending the earlier of September 21, 2019 or the date the President of the United States terminates the disaster declaration with respect to the 2019 Storm and Flooding.
- "Family Member" means a vacation leave-eligible employee's wife, husband, children, parent, grandparents, grandchildren, brother, sister, daughter-in-law, son-in-law, guardian, ward, stepfather, stepmother, stepdaughter, stepson, or persons bearing the same relationship to the spouse of the employee.

- “Human Resources” means the Campus Human Resources Department.
- “Vacation Leave-Eligible Employee” means a current University employee who is eligible for paid vacation leave pursuant to the University’s policies.
- “Major Disaster Leave” means paid leave from the Major Disaster Leave Bank.
- “Major Disaster Leave Bank” means the major disaster leave-sharing pool established pursuant to this Plan.

Donation of Major Disaster Leave

- A vacation leave-eligible employee may donate accrued unused vacation leave to the Major Disaster Leave Bank by completing and submitting the Major Disaster Leave Donation Form to Human Resources.
- The amount of vacation leave donated by any one Disaster Leave Donor may not exceed the maximum amount of vacation leave that the Disaster Leave Donor normally accrues during the calendar year in which the donation occurs.
- A Disaster Leave Donor’s current vacation leave balance will be reduced by the amount of time donated to the Major Disaster Leave Bank.
- A Disaster Leave Donor cannot deposit, designate, or transfer donated leave to a specific Disaster Leave Recipient.
- Donations of Major Disaster Leave may be made only during the Disaster Period.

Eligibility for Major Disaster Leave

- A vacation leave-eligible employee may request Major Disaster Leave under this Plan if:
 - (1) The 2019 Storm and Flooding has caused severe hardship to the vacation leave-eligible employee or a vacation leave-eligible employee’s Family Member that requires the vacation leave-eligible employee to be absent from work; and
 - (2) The vacation leave-eligible employee’s vacation leave has been exhausted.
- A request for Major Disaster Leave and the anticipated time period of absence must be reported on the Request for Major Disaster Leave Request Form and be sent to Human Resources for evaluation pursuant to this Plan.
- Human Resources may request documentation and/or certification of the facts supporting a request for Major Disaster Leave.
- A request for Major Disaster Leave requires approval by the requesting vacation leave-eligible employee’s immediate supervisor and signatures from the Department Head and/or Dean/Director.
- Human Resources will make a reasonable determination, based on need, as to how much leave each Disaster Leave Recipient may receive, and will base approvals on the leave available under the Major Disaster Leave Bank. However, any one Disaster Leave Recipient may receive only up to the equivalent of two working weeks of Major Disaster Leave.
- Denials of Major Disaster Leave or limitations on the amount of Major Disaster Leave given will not be grievable events under the University of Nebraska Grievance Policy.
- Major Disaster Leave deposited for the 2019 Storm and Flooding may only be used with respect to the 2019 Storm and Flooding.

Use of Major Disaster Leave

- A Disaster Leave Recipient must use Major Disaster Leave for purposes related to the 2019 Storm and Flooding, and must use Major Disaster Leave consecutively.
- Compensation paid with respect to Major Disaster Leave will reflect the Disaster Leave Recipient's normal base pay/salary.
- A Disaster Leave Recipient may not convert Major Disaster Leave to cash in lieu of using the leave, but may use Major Disaster Leave:
 - (1) To eliminate a negative vacation leave balance resulting from vacation leave advanced because of the effects of the 2019 Storm and Flooding; and/or,
 - (2) To substitute for leave without pay used because of the 2019 Storm and Flooding.
- A Disaster Leave Recipient can use his or her Major Disaster Leave only during the Disaster Period, and only while the Disaster Leave Recipient remains a vacation leave-eligible employee.
- Major Disaster Leave shall not constitute vacation leave to the Disaster Leave Recipient for purposes of the Nebraska Wage Payment and Collection Act.

Major Disaster Leave Bank

- Human Resources will maintain a record of leave donated and used pursuant to this Plan, referred to as the Major Disaster Leave Bank.
- Human Resources will credit the Major Disaster Leave Bank with the number of hours of leave donated under this Plan, and will reduce it by the number of hours of leave approved and used under this Plan.
- Any Major Disaster Leave not used by a Disaster Leave Recipient or that has been donated but not allocated to a Disaster Leave Recipient by the end of the Disaster Period will be returned to the Disaster Leave Donors currently employed by the University as accrued unused vacation leave, unless the amount remaining is an amount so small as to make accounting for it unreasonable or administratively impracticable.

Compliance

- This Plan is intended to constitute a major disaster leave-sharing plan that meets the requirements of Internal Revenue Service Notice 2006-59, and should be construed and administered accordingly.

Forms

Major Disaster Leave Request Form (see addendum)

Major Disaster Leave Donation Form (see addendum)

History

March 29, 2019

Approved by the President

Major Disaster Leave Request Form

Employee Name: _____

Personnel Number: _____

Department: _____

I am requesting _____ days (maximum of 10 consecutive work days) of leave from the NU Major Disaster Leave Pool to begin on _____. I understand that I must exhaust all of my accrued but unused vacation leave before receiving this leave from the Major Disaster Leave Pool.

I understand that Major Disaster Leave shall not constitute vacation leave payable to me upon separation under the Nebraska Wage Payment and Collection Act.

I am requesting Major Disaster Leave for the following reason(s).

Flooding directly impacted me.

Flooding directly impacted my immediate family. (As defined by the HR Policy)

Please provide a brief summary of your reason for this request:

Employee Signature: _____ Date: _____

Immediate Supervisor: _____ Date: _____

Department Head/Dean/Director: _____ Date: _____

Director Human Resources: _____ Date: _____

Major Disaster Leave Donation Form

Employee Name: _____

Personnel Number: _____

Department: _____

I am donating _____ hours of my accrued vacation to the NU Major Disaster Leave Pool.

I understand these days will be subtracted from my leave balance and that I will not recover these days.

Employee Signature: _____ Date: _____

Immediate Supervisor: _____ Date: _____

Director Human Resources: _____ Date: _____

Payroll Use Only:

Entered by: _____

Date: _____