

## **Memorandum of Understanding**

WHEREAS, Northern New Mexico College (College) and NFEE Full Time Faculty Union (Union) have a current Collective Bargaining Agreement (the Agreement) that is effective through June 30, 2027; and

WHEREAS Article 24 of the Agreement provides for the administration of a Sick Leave Bank; and

WHEREAS, the parties mutually agree that the administration of Article 24 of the Agreement is impracticable at this time; and

WHEREAS, the parties agree to amend Article 24 of the Agreement to provide for the administration of a Sick Leave Donation program to replace the previously agreed upon Sick Leave Bank currently articulated in Article 24 of the Agreement;

NOW THEREFORE, the College and the Union, agree to the following amendment to Article 24 of the Agreement, effective July 18, 2025:

### **Article 24. SICK LEAVE DONATION**

#### **24.1 Purpose**

- a. To provide a process whereby participating full-time faculty members of Northern New Mexico College may request additional sick leave through solicited donations from other eligible College employees due to a catastrophic situation involving their own medical condition, as defined in this Article.

#### **24.2 Eligibility**

- a. Only faculty who have been employed for one academic year may be eligible to receive sick leave donations.
- b. Only faculty who have a minimum of eighty (80) hours of accumulated sick leave may donate solicited sick leave.
- c. Application for the solicitation of sick leave donation shall not be approved until the faculty member has less than eighty (80) hours remaining of sick leave, and is expected to exhaust their balance based on the information provided in their Medical Certification Form.
- d. The maximum sick leave that a faculty member may request at any one time is forty (40) days (280 hours) based on a seven-hour day.
- e. To be eligible for donated sick leave, a faculty member must demonstrate that they are experiencing a catastrophic situation. For purposes of this Article, a catastrophic situation shall mean a severe illness or injury requiring prolonged hospitalization or recovery and incapacitating the person from working, creating a financial hardship. Such injury or illness often makes exceptional demands on patients, caregivers, families, and healthcare resources. In general, an illness or injury that results in a medical condition that a health care provider has certified is likely to result in a loss of 30 or more workdays.

#### **24.3 Application for Sick Leave Donations**

- a. Northern New Mexico College has a standing committee to review applications to solicit sick leave donations and to make a determination to either approve or disapprove a request. This standing committee is comprised of the Human Resources Office (who will serve as chair), a

representative of the Union, and the Chair of the Department where the faculty member who is requesting leave is employed.

- b. Eligible faculty may apply for solicitations for donations of sick leave by completing a Request for Solicitation of Sick Leave Donations form and submitting it to the Human Resources Office.
- c. The request must be accompanied the Medical Certification Form properly completed by faculty member's healthcare provider.
- d. Upon receipt of a request, the committee will evaluate the request within five (5) business days, and, if the request meets eligibility requirements, vote to approve or disapprove the request.
- e. If the request for solicitation of additional sick leave is approved, the committee shall notify the employee of the decision in writing and indicate the total amount of sick leave hours which were approved. If the request for additional sick leave is disapproved, the committee shall notify the employee in writing of the reason(s) for the disapproval. The decision of the committee is final, but the employee may reapply for reconsideration if they can provide any new information or circumstances for the committee's consideration.
- f. Upon approval for solicitation of sick leave donations, the Human Resources Office shall broadcast an email to all eligible college employees soliciting the donation of sick leave. No personal identifying information, or any information about the application will be included in the communication from the Human Resources Office.
- g. If the solicitation for sick leave donations does not cover the amount of additional sick leave awarded by the committee, the faculty member shall only receive the amount donated.
- h. A faculty member who receives donated sick leave must exhaust all of their own leave, of any kind, prior to using any donated sick leave.
- i. If donated sick leave is not utilized, the donated sick leave shall be returned to the faculty member who made the donation.

FURTHERMORE, the College agrees to grant bargaining unit members who were eligible to participate in the previously articulated Sick Leave Bank program for Academic Years 2018-2019, 2019-2020, and 2020-2021 a one-time allocation of 28 hours of additional sick leave, up to the maximum amount of eligible sick leave.

Agreed:

Agreed:



Hector Balderas, President, NNMC



Scott Braley, Lead Negotiator