

AR4161.9 Catastrophic Leave Program
Personnel

Status: ADOPTED
September 6, 2011

Donation of Leave

Upon written request, the Modoc County Superintendent of Schools may authorize employees to donate up to a cumulative maximum of 30 workdays of earned sick leave or accrued vacation to an employee as eligible leave credits when that employee or that employee's family member suffers from a catastrophic illness or injury. The County Superintendent will consider each request on a case-by-case basis, considering both the circumstances of the employee and the financial constraints of the Modoc County Office of Education.

The donation and receipt of such credits are subject to the following conditions:

1. Catastrophic illness or injury is defined to mean an illness or injury that is expected to incapacitate an employee or a member of an employee's family for an extended period of time and which incapacity requires the employee to take time off from work or care for that family member for an extended period of time, and taking extended time off work creates a financial hardship for the employee because he or she has exhausted all of his or her sick leave and other paid time off.

2. Eligible leave credits are defined to mean sick leave accrued to the donating employee. An employee cannot donate future vacation leave and sick leave that has not been accrued.

3. Family member is defined to mean the employee's spouse, children and stepchildren.

4. The employee who is, or whose family is, suffering from a catastrophic illness or injury and who is requesting that eligible leave credits be donated:

* Must request in writing to the County Superintendent that eligible leave credits be donated.

* Provide verification by means of a letter, dated and signed by the sick or injured person's physician, acceptable to the County Superintendent, indicating the incapacitating nature and probable duration of the illness or injury.

* The written request must provide the exact information (verbatim) that the employee wants communicated to other County Office employees, concerning their condition or that of their family member's.

* Must exhaust all paid leave credits.

* Must use all leave credit that he or she continues to accrue on a monthly basis before receiving donated leave credits.

5. An employee who chooses to donate eligible leave credits:

* May only donate days above a personal safety net of 10 leave days.

* Must provide written notice to the County Superintendent of the intent to transfer the eligible leave

credits.

* Must donate eligible leave credits of a minimum of one day. Additional credits must be donated in full-day increments.

* Must acknowledge in writing that the employee understands that he or she cannot revoke the donation of eligible leave credits.

6. Although more than one employee in the bargaining unit may donate leave credits to the requesting employee, the cumulative maximum number of workdays the employee may receive is 30 workdays.

7. The County Superintendent will determine if the employee is eligible to receive leave credits. If the County Superintendent determines that the employee is able to work, the County Superintendent shall deny the request.

8. The employee receiving the donated hours may utilize them for a maximum period of six consecutive weeks.

9. The employee receiving donated hours can only receive them once per contract year and for a maximum of six consecutive weeks.

10. The Superintendent or designee shall ensure that all donations are confidential concerning the employee donating leave or the employee receiving leave.

11. The County Superintendent's decision to deny the employee's request to receive leave credits is final and is not subject to appeal under the grievance or other procedures.

Legal Reference:
EDUCATION CODE
44043.5 Catastrophic leave