



## Ohio Administrative Code

### Rule 3342-6-11.4 Administrative policy regarding paid leave donation.

Effective: March 1, 2015

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(A) Policy statement. It is the university's policy to permit classified and unclassified administrative and professional employees to contribute earned sick and vacation leave to other employees who are without sufficient paid leave to provide continued income during employees medically-documented serious health condition. Pursuant to paragraph (B)(4) of rule 3342-6.11.11 of the Administrative Code, a medically documented, serious health condition is described as a catastrophic injury, life-threatening impairment or physical or mental injury or illness which totally incapacitates the employee from work for a long-term duration.

(B) Definitions. Serious medical hardship or catastrophic illnesses or injury includes conditions which severely impact the health of the employee and requires absence from work. These conditions must also meet the eligibility for the Family and Medical Leave Act. Conditions that are short term in nature such as colds, flu or minor injuries are not generally considered catastrophic. Some examples would include:

- (1) Cancer.
- (2) Major surgery.
- (3) AIDS.
- (4) Serious accident.
- (5) Heart attack.
- (6) Hospice care.
- (7) Other serious or life-threatening illnesses.



(C) Eligibility. All full- and part-time classified and unclassified administrative and professional employees with appointment are eligible to contribute paid leave or receive donated leave, so long as they meet the specific criteria established in this rule.

(D) Implementation.

(1) Donation of leave to another employee. Employees may donate accrued hours of sick or vacation leave directly to another employee during a calendar year. For the purposes of this policy, a calendar year shall be from January through December. The maximum hours of earned sick or vacation an employee can donate to an eligible employee during a calendar year may not exceed the following amounts:

(a) Sick leave. In order to donate earned sick leave to another employee, an employee must have an accrued balance of greater than thirty days (two hundred forty hours). Employees may contribute a maximum of eighty hours of their accrued sick leave above two hundred forty hours in any twelve-month period.

(b) Vacation leave. An employee may contribute a maximum of eighty hours of earned vacation leave to another employee per twelve-month calendar year.

(c) Employees separating from the university may only donate the maximum amounts for the calendar year as noted in paragraphs (D)(1)(a) and (D)(1)(b) of this rule which is eighty hours.

(2) Use of leave donated by another employee. Eligible employees may receive and use continuous or intermittent leave donation in amounts equivalent to a maximum of sixty days per calendar year for each approved disability. In order to be eligible to receive leave donated by another employee, an individual must meet the following criteria:

(a) Have no remaining accrued sick, comp or vacation leave within one full payroll cycle (usually ten business days).

(b) Have completed probationary period, where appropriate and at least one year of service.



(c) Have no prior record of disciplinary action related to the abuse of leave time or absenteeism on record prior to the need for donated leave.

(E) Procedures.

(1) Application to receive donated leave. An employee who is absent from work due to a medically documented serious health condition as described in paragraph (A) of this rule and who has exhausted all accrued sick, comp and vacation leave may apply to receive donated leave using the following procedure:

(a) The employee must follow the normal leave reporting procedure of completing a leave of absence form, including a specific a reason consistent with paragraph (D)(2)(a) of this rule. The form must be approved by the immediate supervisor and submitted to the benefits office.

(b) The employee must voluntarily communicate in writing to the manager of university benefits their willingness to accept donated leave time. This acceptance will authorize the benefits office to include the employee s name on a list of employees in need of donated leave. It is strongly recommended that the employee provide an estimate of the duration of the period for which donated leave is needed.

(2) The benefits office will maintain a posting accessible to all employees of those individuals who have requested leave donation.

(a) The list will contain the employee s name, title, department and estimated leave needed. Absolutely no medical information will be shared by any university representative.

(b) The manager of university benefits will work with the requesting employee s supervisor to determine an appropriate means of communicating with the employee s co-workers and associates.

(3) Donation of leave. Employees who wish to donate leave and meet guidelines established in paragraph (C) of this rule should complete a paid leave donation form and submit it to the benefits office.



(4) Should the request be denied, employees may appeal in writing such decision within ten business days to the vice president of human resources. The vice president of human resources has the authority to review and approve exceptions to the leave donation policy. The decision of the vice president shall be final.