



Ohio Administrative Code Rule 3358:17-11-07 Catastrophic leave.

Effective: [March 22, 2015](#)

The college provides a catastrophic leave program to full-time employees. The purpose of this program is to permit employees to voluntarily donate unused sick leave to fellow full-time employee(s) who are in critical need of leave due to a catastrophic illness/condition/injury of the employee or his/her close family relative and who have no more paid leave. No sick or vacation leave will be accrued, or personal leave granted while receiving donated leave from the catastrophic leave program.

No donated leave from the catastrophic leave program can be used once the individual becomes eligible for a paid leave/retirement program such as long term disability, workers' compensation, or disability retirement.

(A) Eligibility.

(1) The director of human resources and the president make the determination of whether the employee or a close relative of the employee has an extraordinary or severe medical illness, condition or injury.

(2) The employee has abided by policies regarding the use of leave including contacting the college appropriately, and securing necessary physician statements.

(3) The employee has exhausted or is likely to exhaust all paid medical leave accruals due to such illness(es)/condition(s)/injury(ies), and is not receiving other forms of compensated leave, such as sick, vacation, or personal leave payments, workers' compensation payments, or long-term disability payments.

(4) The employee has been out of work three days at own cost of sick leave or with financial consequences; has a statement from a physician certifying the medical necessity of the leave.



(B) Donating leave.

College employees may donate accrued sick leave to another employee only if these conditions are met.

(1) The donation does not cause the sick leave balance of the donating employee to fall below three hundred sixty hours.

(2) The donated leave has been given voluntarily without any coercion, threat, intimidation, or financial inducement.

(C) Administrative and accounting procedures and requirements.

(1) The employee requesting catastrophic leave must contact the director of human resources and provide a letter from a medical physician, which sets forth the circumstances that cause the illness, condition or injury to be catastrophic and the expected duration of the illness, condition or injury.

(2) Human resources verifies the employee has no form of accrued leave otherwise available and determines the amount of donated leave the employee may receive.

(3) Human resources sends an email to all employees requesting donations (without specifying the recipient).

(4) Donors respond via email and acknowledge that the donation is voluntary.

(5) Human resources verifies the authenticity of the donor's email and uses the donor's email response as a release to deduct leave from the donor.

(6) Donated leave is deducted from the donor's account and placed into a catastrophic leave bank for the recipient employee.

(7) When using the donated leave, the employee receiving donated leave will be paid at their regular rate of pay. One day of donated leave will cover one day of the recipient's pay without regard to any



differences in rate of pay. To clarify: if employee "a" is being paid ten dollars per hour and employee "b" who receives twenty dollars per hour donates one day of leave, Employee "a" will receive one day of paid leave, not two days.

(8) The employee can receive donated leave up to the number of hours that he/she is normally scheduled in that pay period (no overtime or overload).

(9) The employee receiving donated leave may receive/use up to one thousand four hundred and forty hours of donated leave or to the point of qualifying for disability or their return to work, whichever occurs first.

(D) Definitions.

(1) Close relative of the employee means spouse, (dependent-as defined in the FMLA), or parent of the employee.

(2) A catastrophic illness, condition or injury is defined as one that requires an extensive period of recovery. Not all illnesses, conditions or injuries that disable an employee from working qualify as catastrophic.