

Administrative Regulation

Catastrophic Leave Program

AR 4161.9, 4261.9, 4361.9

Personnel

For certificated members of the Pleasant Valley Education Association, catastrophic leave procedures are described in the collective bargaining agreement between the Pleasant Valley School District and the Pleasant Valley Education Association.

When a permanent classified employee experiences a catastrophic illness or injury which requires the employee to take time off from work for an extended period of time, and taking time off work creates a financial hardship for the employee because the employee has exhausted all available sick leave, vacation leave, and other paid time off (with the exception of extended sick leave), he/she may request donations of accrued vacation or sick leave credits. (Education Code 44043.5)

Eligible accrued vacation and/or sick leave credits may be donated to an employee once the following requirements are met:

1. The employee who is suffering from a catastrophic illness or injury submits a request to the Director, Classified Human Resources at least 15 working days before he/she expects to exhaust all other available paid leave credits. The request will include verification of the catastrophic injury or illness signed by the employee's physician, indicating the incapacitating nature and probable duration of the illness or injury (Education Code 44043.5). If the employee is incapacitated and unable to make the request, an employee's immediate family member may make this request on behalf of the employee. The request shall also include a summary of the employee's situation that may be published to request donations in the event the request is approved.
2. The Catastrophic Leave Committee will consider the request and make a determination as to eligibility to receive donations based on the following considerations: (A) the employee is unable to work due to the employee's catastrophic illness or injury; and (B) the condition will necessitate the employee's extended absence from work; and (C) the extended absence from work will create a financial hardship; and (D) the employee has exhausted all accrued paid leave credits.

CATASTROPHIC LEAVE COMMITTEE

The Catastrophic Leave Committee shall consist of one (1) SEIU member, one (1) unrepresented Classified employee, one (1) Classified Management employee, and the Director, Classified Human Resources.

The Catastrophic Leave Committee will review requests for donation of eligible leave credits for an employee's catastrophic illness or injury.

The Committee may request a variety of information to verify the catastrophic injury or illness of the employee. Conditions which are short-term in nature, such as colds, flu, minor injuries or normal pregnancies are not generally deemed catastrophic. Chronic conditions such as cancer and residual effects from a stroke may be considered catastrophic even if the condition results in only intermittent absences.

If the Catastrophic Leave Committee determines that all eligibility criteria are met, the request to receive donated catastrophic leave credit will be approved. Otherwise, the Committee will indicate the basis of denial of the request.

If approved, the Director, Classified Human Resources will notify the requesting employee of the Committee's determination and send an email requesting donations of eligible leave credits. The email shall include a leave donation form authorizing the irrevocable transfer of eligible sick and/or vacation leave credits to the employee.

The Catastrophic Leave Committee may request periodic updates on employee's status to verify continued eligibility for donated eligible leave benefits.

DONATION OF ELIGIBLE LEAVE

Employees may donate a minimum of eight (8) hours of sick and/or vacation leave, and in one-hour increments thereafter [Education Code Section 44043.5(c)]. Employees must submit the leave donation form to the Director, Classified Human Resources within 15 working days of the email requesting donations. The Catastrophic Leave Committee may extend the deadline for donations at its discretion.

To ensure that employees retain sufficient accrued sick leave to meet their own needs, donors must maintain a minimum balance of twelve (12) days of accrued sick leave after the donation is deducted. Each donor may donate a maximum of five (5) days of leave credits per recipient. The aforementioned amounts are based on the donor's average daily work schedule.

Transfer of leave credits will be honored only upon written authorization of the donor. The written authorization shall acknowledge that the donor understands the transfer authorization is irrevocable [Education Code 44043.5(d)(3)], and that any donation of sick leave will reduce the retirement service credit that may otherwise have been available to the donor at the time of retirement.

USE OF DONATED LEAVE CREDITS

An employee who receives paid catastrophic leave shall use any leave credits that he/she continues to accrue on a monthly basis before receiving paid leave pursuant to this program. (Education Code 44043.5)

The maximum leave credits to be received by an employee for a single catastrophic illness is the equivalent of sixty (60) work days (based on receiving employee's average daily work schedule). The donated leave credits will be applied on an hour-for-hour basis. The recipient will utilize donated leave credits in the order donations are received, exhausting all leave credits donated by

one donor before beginning to utilize leave credits donated by another donor. Catastrophic leave credits must be used for the purpose defined in this policy only. Notwithstanding all other requirements, the maximum amount of time that donated leave credits may be used by the recipient is twelve consecutive months [Education Code Section 44043.5(d)(1)].

Employees may not file a grievance based on the terms, conditions, or content of this policy, procedures described herein, or decisions rendered based on this policy.

Not Covered: Conditions or illnesses resulting from commission of a crime, elective/cosmetic surgery, normal pregnancy, substance abuse rehabilitation, or stress. Also not included are illnesses which may be covered under the Workers' Compensation Program.

Regulation PLEASANT VALLEY SCHOOL DISTRICT
Approved: March 13, 2018