

TITLE: LEAVE DONATION
PROGRAM

PERSONNEL
ADMINISTRATIVE X

RESOLUTION
NO: 06-620

EFFECTIVE
DATE: 4/25/06

TYPE:
POLICY X
PROCEDURE X

SUPERSEDES:
POLICY # 33
PROCEDURE #

I. SCOPE

This policy applies to all employees under the appointing authority of the Board of Lucas County Commissioners unless covered under a similar program through a collective bargaining agreement.

II. PURPOSE

The Leave Donation Program is to allow employees to voluntarily provide assistance to eligible co-workers who are in need of paid leave due to a serious illness or injury involving the co-worker or a member of his/her immediate family.

III. POLICY

As permitted by Ohio Revised Code 124.391, the Board of Lucas County Commissioners will allow eligible employees to donate accrued but unused sick leave, vacation and personal time on a limited basis to another eligible employee who has a qualifying serious injury or illness, or who has a covered family member who has a serious injury or illness, as defined below. Employees at JFS and CSEA will only donate to, and receive donations from, employees within their respective agencies.

IV. PROCEDURE

A. Eligible Employees

In order to DONATE sick leave, an employee must have a balance of at least 120 hours of sick leave after deducting the total donated hours. There is no minimum balance requirement to donate vacation or personal time.

In order to RECEIVE donated leave, an employee must:

1. have completed his/her initial probationary period, and
2. have a qualifying serious illness or injury, or have an immediate family member who has such, and
3. have no available leave time (sick, vacation, compensatory or personal), and
4. not be receiving workers' comp or PERS disability, and
5. not have active discipline in their personnel file related to excessive use of sick leave, abuse of sick leave, unauthorized absence, or pattern use of sick leave.

B. Qualifying Illnesses and Injuries

Leave may be donated for each serious illness or injury involving the employee or a member of his/her

immediate family that requires hospitalization and/or an absence from work in excess of ten (10) consecutive workdays, with at least five (5) of the workdays being without pay, for each specific case of serious illness or injury.

For purposes of this policy, "immediate family" is defined as the employee's spouse, children (biological, step, adopted or foster), parents, grandparents, siblings, or a legal guardian or other person who stands in place of a parent (in loco parentis).

Normal pregnancy and child care are not considered to be a serious illness or injury for the purposes of this policy.

Eligibility for Family & Medical Leave (FMLA) is a separate matter and does not guarantee that an individual will be eligible to receive donated leave.

C. Requesting, Receiving & Using Donated Leave

Eligible employees requesting donated leave will complete the attached application and return it along with appropriate medical certification to the Director of Human Resources. The Director of Human Resources, or his/her designee shall review the request to ensure that the employee is eligible as defined by paragraph IV-A and IV-B. With the written permission of the employee, approved requests shall then be communicated to all co-workers. Requests that are denied may be appealed to the County Administrator.

An eligible employee may receive a maximum of 1,040 hours of donated leave per each specific approved and covered incident.

Employees using donated leave shall be considered to be in an active pay status and shall accrue sick and vacation leave and be entitled to any benefits to which they would otherwise receive. Any sick and vacation leave that is accrued must be used in the following pay period before donated leave can be used.

Donated leave shall never be converted into a cash benefit; it shall only be used to cover the eligible work hours that the affected employee would have regularly been scheduled to work each week. Employees who use donated leave will have those hours counted as absences for the purposes of determining eligibility for attendance-related bonuses, if applicable, unless the leave is covered under FMLA.

D. Donating Leave

Participation in this program is strictly voluntary. No employee is to be directly solicited to donate leave, nor shall any employee be forced to donate.

Leave may only be donated in eight (8) hour increments. Employees donating leave must specify the types and amounts of leave being donated (*for example, "24 hours total = 8 hours sick leave and 16 hours vacation"*) on the leave donation form.

An employee may donate sick leave only if he/she will still have a balance of at least 120 hours after the donated hours are deducted.

Employees wishing to donate leave must complete and return the "Leave Donation Form" to Human

Resources, who will date stamp each form in the order it is received. Once the appropriate balances have been determined, the donated leave shall be used in the order in which it was donated. In the event that there are multiple donors giving more than eight (8) hours each, the donation will be taken eight (8) hours per person before going back and deducting in excess of eight (8) hours from any individual.

The maximum number of hours that may be donated by an employee is a total of 80 hours per calendar year. Leave that has been donated and used may not be returned to the donor, and the donor is not entitled to any compensation for the donated leave. Any donated but unused leave shall be returned to the donor.

Any hours donated will not be counted against the donor for purposes of determining eligibility for attendance-related bonuses, if applicable.