

CATASTROPHIC LEAVE PROGRAM

The Governing Board recognizes that district employees may desire to assist other employees who have an urgent need for a leave of absence but do not have sufficient accrued leave to cover their absence. The Superintendent or designee shall establish a catastrophic leave program by which employees may donate accrued vacation and/or sick leave credits.

Donations made under the catastrophic leave program are confidential and shall be strictly voluntary.

An employee may apply to use donated leave credits in accordance with the accompanying administrative regulation when he/she has exhausted all applicable paid leaves of absence and a catastrophic illness or injury incapacitates the employee or a member of his/her family for an extended period of time. (Education Code 44043.5)

(cf. 4161/4261/4361 - Leaves)

(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

(cf. 4261.1 - Personal Illness/Injury Leave)

Legal Reference:

EDUCATION CODE

44043.5 Catastrophic leave

44977 Salary deduction during sick leave, certificated employees

44978 Sick leave, certificated employees

44983 Compensation during leave, certificated employees

45190-45191 Sick leave and vacation, classified employees

45196 Salary deductions during sick leave, classified employees

LABOR CODE

245-249 Healthy Workplaces, Healthy Families Act

CATASTROPHIC LEAVE PROGRAM

Definitions

Catastrophic illness or injury is an illness or injury that:

1. Is expected to incapacitate the receiving employee for a period of time, or
2. Incapacitates a member of the receiving employee's immediate family (for this purpose immediate family is defined as child, parent or spouse), which incapacity requires the employee to take time off from work for an extended period of time to care for that family member, and
3. Which would create a financial hardship for the receiving employee if he/she were required to take extended time off work because he/she has exhausted all of his/her eligible leave credits, which includes sick leave and vacation leave.

Donating employee - the employee who has volunteered to donate eligible leave credits to another employee.

Receiving employee - the employee who is the recipient of a transfer from another employee's eligible leave.

Eligible leave credits – vacation leave and sick leave accrued to the donating employee.

Procedure for Implementation

Donation of Eligible Leave Credits

Any Visalia Unified School District employee may contribute eligible leave credits to any other district employee who is eligible for catastrophic leave.

All eligible leave credit donations of leave will be accounted for utilizing an hourly exchange:

1. Eight hours is the minimum donation that an employee can make to another employee. After the initial eight hours, any number of hours may be donated in hour increments.

CATASTROPHIC LEAVE PROGRAM (continued)

2. All transfers of eligible leave credit are irrevocable. (This applies only to leave hours actually transferred, not to those which were offered for transfer but were not needed.)

To ensure that employees shall retain sufficient accrued sick leave to meet needs that normally arise, donors shall not reduce their accumulated sick leave to fewer than 10 days.

A donation may impact the employee's sick leave hours available to convert to service credit upon retirement with PERS or STRS.

The donating employee must complete the request for "Voluntary Donation of Eligible Leave Credits", stating that he/she willingly donates a certain number of hours to a specific receiving employee.

The Superintendent or designee shall ensure that all donations are confidential.

Eligibility for Catastrophic Leave

An employee to be eligible for participation in the District's Catastrophic Leave program must:

1. Not have received any catastrophic leave within the preceding twelve months.

Eligible leave credits may be donated to an employee for a catastrophic illness or injury if all of the following requirements are met:

1. The employee who is, or whose family member is, suffering from a catastrophic illness or injury requests that eligible leave credits be donated and provides verification of catastrophic injury or illness to Human Resources.
2. Human Resources determines that the employee is unable to work due to the employee's or his or her family member's catastrophic illness or injury.
3. The employee has exhausted all accrued paid leave credits.

CATASTROPHIC LEAVE PROGRAM (continued)

Use of Catastrophic Leave

An employee desiring to use Catastrophic Leave must complete the “Request for Catastrophic Leave” and send it to Human Resources. Upon requesting donations under this program, the employee shall provide verification of the catastrophic injury or illness. Verification shall be made by means of a letter, dated and signed by the sick or injured person’s physician, indicating the incapacitating nature and probable duration of the illness or injury.

Any employee who meets the conditions of the definition of catastrophic illness or injury, who meets the eligibility criteria for participation in this leave program, who has exhausted all of their paid leave, and who is approved by the Superintendent is eligible to receive donated leave credits. No one will be approved to receive donated leave credits after the amount budgeted for catastrophic leaves have been exhausted.

An employee who receives paid leave credits pursuant to this program shall:

1. Use any leave credits that he/she continues to accrue on a monthly basis before receiving any donated paid leave credits.
2. Use of donated leave credits must be utilized in full workday increments based on the receiving employee’s work schedule.

The maximum amount of time for which donated leave credits may be used by an eligible employee may not exceed a maximum period of 65 workdays (and may be less if the district so chooses).

Use of catastrophic leave will run concurrently with statutory leaves (e.g. FMLA/CRFA).

Regulation
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revised: May 24, 2018

VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California