

LEAVE DONATION PROGRAM

SOURCE: OHIO REVISED CODE 124.391, OHIO ADMINISTRATIVE CODE 123:1-46-05, & OCSEA/AFSCME BARGAINING UNIT AGREEMENT ARTICLE 29

CONTACT: OFFICE OF EMPLOYEE SERVICES

Leave Donation Policy:

1. Employees may donate paid leave to employees who are eligible to accrue and use sick leave and are employed by the same agency. The intent of the leave donation program is to allow employees to voluntarily provide assistance to their co-workers who critically need leave because of personal serious illness or injury to themselves or a member of their immediate family.
2. Immediate family for this policy means spouse, parents, children, grandparents, siblings, grandchildren, brother-in-law, sister-in-law, daughter-in-law, son-in-law, mother-in-law, father-in-law, step-parents, step-children, step-siblings or legal guardian or other person who stands in the place of a parent.
3. Employees may receive donated leave, up to the number of hours for which they would be compensated each pay period, if employees who are to receive donated leave
 - have, or a member of their immediate family has, a serious illness or injury.
 - have no accrued leave or have not been approved to receive other state-paid benefits.
 - have applied for any paid leave, workers' compensation, or benefits program for which they are eligible.
4. Employees who have applied for this program may use donated leave to
 - satisfy the waiting period for applicable benefits.
 - follow a waiting period, if one exists, in an amount equal to the benefit provided by the program. That is, 56 hours per pay period may be used by employees who have satisfied the disability waiting period and are pending approval, which is equal to the 70% benefit provided by disability.
5. Employees may donate leave, except compensatory time, if they
 - voluntarily elect to donate leave and do so with the understanding that donated leave will not be returned.
 - donate a minimum of eight hours.
 - retain a combined leave balance of at least 80 hours. Leave shall be donated in the same manner in which it would otherwise be used.

6. The leave donation program shall be administered on a pay-period by pay-period basis.
7. Employees using donated leave shall be considered in active pay status and shall accrue leave and be entitled to any benefits to which they would otherwise be entitled.
8. Leave accrued by employees while using donated leave shall be used, if necessary, in the following pay period before additional donated leave may be used or received.
9. The use of donated leave by an employee will be charged toward his/her annual FMLA time if applicable.
10. Donated leave shall not count toward the probationary period of employees who received it during their probationary period.
11. Donated leave shall be considered sick leave, but shall never be converted into a cash benefit.
12. Donated leave is not counted against the person donating it, for either use or conversion purposes.
13. Employees who wish to donate leave shall certify
 - the name of the employee for whom the donated leave is intended.
 - the type of leave and number of hours to be donated.
 - that employees will retain a minimum combined leave balance of at least 80 hours.
 - that the leave is donated voluntarily and employees understand that the donated leave will not be returned.
12. The agency will respect employees right to privacy, however, appointing authorities may, with the permission of employees who are in need of leave or a member of their immediate family, inform other employees of their critical need for leave.
13. Leave Donation Donor Application forms are available online at the DAS website (<http://www.das.ohio.gov/LinkClick.aspx?fileticket=SnvI7S4sn8I%3d&tabid=216>), in the Office of Employee Services and from district administrators.

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