

MENDOCINO COUNTY POLICY # 39	CATASTROPHIC LEAVE
ADOPTED: February 12, 2002 AMENDED: October 2022	ADOPTED BY: RESOLUTION # 02-032

A policy providing a means for a county employee to donate hours of leave to a fellow employee who is facing a catastrophic illness or injury and who has exhausted his/her own leaves.

1. Catastrophic Leave and Establishment of a Catastrophic Leave Bank

- a. Catastrophic Leave is a paid leave of absence due to verifiable, long-term catastrophic illness or injury such as, but not limited to cancer and heart attack which clearly disables the employee, the employee’s spouse, parent, or child.
- b. The County shall establish a Catastrophic Leave Bank with hours donated by County employees.

2. Eligibility for Catastrophic Leave

All permanent employees of the County of Mendocino shall be eligible to receive Catastrophic Leave under the terms and conditions of this policy that have:

- a. successfully completed twenty-six (26) pay periods in paid status; and
- b. donated a minimum of one (1) hour to the general Catastrophic Leave Bank in the preceding twelve (12) months, but not less than one (1) month before the qualifying event and
- c. exhausted all accrued sick leave, vacation leave, and compensatory time before qualifying for catastrophic leave.

3. Donation of Hours

- a. Catastrophic Leave is paid leave available to eligible County employees from hours donated by other County employees.
 - (1) Vacation, designated holiday leave bank hours, compensatory leave, or other leave banks, which would normally be “cashed out” to the employee upon separation, may be donated.
 - (2) Sick Leave and Personal Leave are specifically excluded.
 - (3) Donated time shall be credited on an hour for hour basis, regardless of wage of either donor or recipient.
- b. Employees donating vacation or compensatory leave must donate in increments of whole hours.
 - (1) The donating employee must have a vacation leave balance of at least forty hours remaining after such donation.
 - (2) Employees may donate all of their accrued compensatory time or holiday leave bank hours.
- c. Donations by employees may be designated for the general Catastrophic Leave Bank or for an individual employee. If donated to the account of an individual employee, there is no requirement for that individual employee to have first donated one (1) hour to the general Catastrophic Leave Bank, but the individual would only be eligible for the hours donated directly to them. See section 2b for eligibility for general Catastrophic Leave Bank.
- d. There is no cap on the number of hours that may be directly donated to an individual employee. All donations to individual employees that are not used by the employee will automatically transfer to the general Catastrophic Leave Bank fund.

4. Approval Process for Use of Catastrophic Leave Bank

- a. A request for use of the Catastrophic Leave Bank must be approved by the Human Resources Director.
 - (1) The request must be submitted in writing using the form developed by Human Resources and must be accompanied by a medical certification that includes:
 - A brief description and appropriate verification of the illness or injury;
 - Name and relationship of the person with illness or injury, if applicable;
 - An estimate of the total time needed, including start and end date.
- b. Catastrophic leave may initially be approved up to a maximum of two hundred and forty (240) donated hours.
 - (1) If the catastrophic illness or injury continues, additional leave up to two hundred and forty (240) donated hours may be approved.
- c. The Human Resources Director shall account for the donation and disbursement of catastrophic leave hours.
- d. Individual use of catastrophic leave from the general Catastrophic Leave Bank is limited to a maximum of four hundred and eighty (480) hours during any twelve (12) month period.
- e. Individual use of the catastrophic leave may exceed four hundred and eighty (480) hours in the event hours are directly donated to the employee. An employee eligible for catastrophic leave may use additional hours that are directly donated to them, with no cap on the number of hours directly donated to the employee, subject to section 6.
- f. The decision of the Human Resources Director to deny the use of Catastrophic Leave may be appealed to the Civil Service Commission within ten (10) days of the decision.
 - (1) The decision by the Civil Service Commission shall be final.

5. Usage of Donated Hours

- a. While an employee is on Catastrophic Leave using donated hours, the employee will be treated as in pay status except that he/she shall not accrue any vacation or sick leave.
- b. An employee may not use Catastrophic Leave to supplement earnings while participating in the Mendocino County Return-to-Work Program or to augment pay while on limited duty.
- c. Catastrophic Leave is an irrevocable donation; any leave not used by the recipient employee will be returned to the general Catastrophic Leave Bank.

6. Job Protected Leave

- a. Catastrophic leave does not reduce or expand protected leave available to an employee, including Family Medical Leave Act (FMLA), California Family Rights Act (CFRA), and through the Americans with Disabilities Act of 1990.
- b. Employees who request Catastrophic Leave for a period of time that is beyond their FMLA/CFRA entitlements, must first apply for and receive approval for an extended Leave of Absence.

7. State Disability Integration

- a. An employee may use Catastrophic Leave to augment State Disability benefits, if eligible, not to exceed their base rate salary.