

# ADMINISTRATIVE REGULATION

4345

SOUTH ORANGE COUNTY  
COMMUNITY COLLEGE DISTRICT

HUMAN RESOURCES

## CATASTROPHIC LEAVE: EMPLOYEES

1. An employee who is, or whose family member\* is, suffering from a catastrophic illness or injury may request donations of accrued vacation or sick leave credits under the catastrophic leave program . An employee requesting catastrophic leave due to his or her own injury or illness must first exhaust all applicable and available accrued paid leave credits including any sick leave, at full pay, any available vacation leave, and any other accrued leave balances under applicable law. An employee requesting catastrophic leave due to a catastrophic illness or injury of a family member must first have administrator/manager approval and exhaust all applicable and available accrued paid leave credits including any sick leave at full pay (per California Labor Code §233), any available vacation leave, and any other accrued leave balances under applicable law.
2. “Catastrophic illness” or “injury” means an illness or injury that is expected to incapacitate the employee for an extended period of time, or that incapacitates a member of the employee’s family which incapacity requires the employee to take time off from work for an extended period of time to care for that family member, and taking extended time off work creates a financial hardship for the employee because he/she has exhausted all of his/her sick leave and other paid time off.
3. An employee who is suffering from a catastrophic illness or injury must request in writing the donation of eligible leave credits.
4. Upon requesting donations under this program the employee shall provide verifications of catastrophic illness or injury by means of a letter, dated and signed by the attending physician, specifically indicating the incapacitating nature and probable duration of the illness or injury. In the case of a family member, the employee shall submit a physician’s statement that the family member requires the employee’s daily regular care.
5. The Chancellor or designee shall verify that the employee is unable to work due to the employee’s catastrophic illness or injury and has exhausted all accrued paid leave credits.
6. Upon verification, the Chancellor or designee will approve the transfer of accrued vacation and sick leave credits.
7. As noted above, if the employee takes catastrophic leave for the employee’s own catastrophic illness or injury, the employee must use all applicable and available sick leave before taking the catastrophic leave. After a ten (10) day waiting period, the employee may use donated leave credits to supplement his or her salary (up to the employee’s full salary level) during the remaining extended sick leave usage.

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8. Donations shall be received in increments of up to ninety (90) days. The employee may receive donations up to a maximum of twelve (12) consecutive months for any single catastrophic illness or injury with proper verification by the physician. Catastrophic Leave runs concurrently with all other applicable leaves as allowed by law; employees must exhaust all applicable leaves as allowed by law during Catastrophic Leave.
9. Any employee who receives paid leave pursuant to this program shall use any leave credits that he/she continues to accrue on a monthly basis before receiving paid leave pursuant to the catastrophic leave program.
10. Employees may donate leave credits to a specific employee when that employee or his or her family member suffers from a catastrophic illness or injury, the employee is unable to work, and the employee has exhausted all accrued paid leave credits.
  - a. Eligible leave credits are defined as accrued vacation and sick leave
  - b. Eligible leave credits must be donated at a minimum of eight hour increments
  - c. Any employee wishing to donate accrued leave credits to a specific employee under these regulations shall complete, sign, and deliver the proper notice designating the number of leave credits to be donated and; acknowledging that his/her transfer of leave credits is irrevocable. Employees donating time have the option of donating credits anonymously, with their identity revealed only to Human Resources, in making the donation
  - d. Employees may donate to any other employee Catastrophic Leave Bank in accordance with these administrative regulations. All donations will be calculated on the donating employee's classification (i.e., a donating faculty member's sick day equals 7.2 hours not 8 hours, while a donating classified employee's sick day equals 8 hours).
  - e. The Chancellor or designee shall inform employees of the means by which donations may be made in response to the employee's requests
  - f. To ensure that employees retain sufficient accrued sick leave to meet the needs that normally arise, donors shall preserve their accumulated sick leave at a minimum of 40 hours
11. Should an employee who is the recipient of catastrophic leave credits be able to return to work prior to using all donated leave, any remaining donated leave will be returned to the donating employees on a prorated basis.

*Reference:*

*California Labor Code §233*