Hardin County Board of Developmental Disabilities
POLICY

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| Title: Personnel- Leave Donation Policy | | |
| Regulatory Authority: | | |
| Effective Date: 5/18/21 Review: 1/21/25 | | |
| Reviewer/Job Title: Superintendent or designee | | |

# PERSONNEL
# LEAVE DONATION POLICY

## (A) PURPOSE

(1) The intent of the leave donation policy is to allow Hardin County employees to voluntarily provide assistance to their coworkers who are in critical need of leave due to an extended serious health condition of the employee or a member of the employee's immediate family.

## (B) DEFINITIONS

(1) Child: A son or daughter, including a child 18 years or over, who is incapable of self-care because of a mental and/or physical disability.

(2) Immediate family: The employee's spouse, child, or parent.

(3) Parent: Biological parent or an individual who stands in the place of a parent to the employee (in loco parentis). In-laws are NOT included in the definition of "parent".

(4) Serious health condition: An, illness, injury, impairment, or physical/mental condition that involves a period of incapacity or treatment that requires absence from employment for more than three (3) days and involves care by a healthcare provider. Serious health condition also includes continuing treatment or chronic or long-term incurable conditions and prenatal care.

(5) Spouse: Husband or wife, including common-law marriages where/when recognized.

(6) Transferee: A full-time employee in need and approved to receive donated leave.

(7) Transferor: An employee volunteering to donate leave.

## (C) DONATIONS

Employees may donate accrued sick leave and vacation leave to a fellow employee who

is otherwise eligible to accrue and use sick leave and reports to the Superintendent or Director of Operations who is subject to this rule and pursuant to the provisions of section 124.391 of the Revised Code. The intent of the leave donation program is to allow employees to voluntarily provide assistance to their coworkers who are in critical need of leave due to an extended serious health condition of the employee or a member of the employee's immediate family. Supervisors are strictly prohibited from donating leave to any employee under their direct supervision and vice versa.

(1) **Donating leave**: Employees may donate leave if the donating employee:

(a) Voluntarily elects to donate leave and does so with the understanding that donated leave will not be returned.
(b) Donates a minimum of hours equivalent to one (1) of the donor's regularly scheduled workdays, and in one (1) donor day increments up to a maximum of 15 days (120 hours equivalence) subject to retaining a minimum balance of 480 hours of sick leave, per calendar year. There will be no limit on the number of one (1) day increments of vacation leave a donor wishes to donate.
(c) Retains a sick leave balance of at least 480 hours.
(d) Completes an *Application to Donate Leave* form.

(2) **Receiving leave**

An employee may receive donated leave (maximum 960 hours) equivalent up to the number of hours the employee is normally scheduled to work each pay period or the equivalent of the employee's normal biweekly earnings, whichever is less, if the employee to receive donated leave or a member of the employee's immediate family has a serious health condition and the employee:

(a) Has no accrued paid leave.
(b) Has completed his or her new probationary period.
(c) Has applied for any paid leave, workers' compensation, benefits program or OPERS disability program for which the employee is eligible.
(d) Has applied for family and medical leave.
(e) Leave taken under this program will be included and is subject to the 12 week limits of the Family and Medical Leave Act.
(f) Has no abuse or patterned use of sick leave.
(g) Has provided acceptable written verification that the extended illness exists.
(h) Agrees to accept the leave under the terms of this policy and completes an *Application to Receive Donated Leave* form.

(D) **ADMINISTRATION**

The leave donation program shall be administered on a pay-period-to-pay-period basis. Director of Operations shall review the *Application to Receive Donated Leave* and the *Application to Donate Leave* to assure compliance with sections (D)(1) and (D)(2) of this

policy. Donations of leave will be recorded in the order of their submission and will not be considered actually donated nor be deducted from the transferor's balance or credited to the transferee's balance until the pay period such leave is actually used. Unused donation applications shall be returned to the transferor. 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. Vacation and sick leave accrued by an employee while using donated leave shall be used, if necessary, in the following pay period before additional donated leave may be received. Donated leave shall be considered sick leave but shall never be converted into a cash benefit. Director of Operations shall maintain such records as are necessary for the administration of this program.

(E) **CERTIFICATION**

Employees who wish to donate leave shall certify:

(1) The name of the employee for whom the donated leave is intended.
(2) The number of hours to be donated (maximum 120 hours).
(3) That the employee will have a combined sick leave balance after donation of at least 480 hours.
(4) That the leave is donated voluntarily and the employee understands that the donated hours may not be returned.

(F) **CONFIDENTIALITY**

Superintendent and/or designee shall ensure that no employees are forced to donate leave. Superintendent and/or designee shall request an employee's rights to privacy; however, Superintendent and/or designee may, with the permission of the employee who is in need of leave or a member of the employee's immediate family, inform employees of their coworker's critical need for leave donations from employees. The donation of leave shall occur on a strictly confidential and voluntary basis.

(G) **APPLICATION**

Employees wishing to donate or receive donated leave may pick up applications from the Director of Operations.