

**Suggested policy format and content. RTPA specific policies should be developed in consultation with RTPA Legal Counsel, Board of Directors and appropriate regulatory agencies.**

## **2. Catastrophic Leave**

The Catastrophic Leave Program permits RTPA employees with accrued sick leave to voluntarily donate 8 to 160 hours of those leave credits per fiscal year (in whole hour increments) to other employees who qualify for Catastrophic Leave so long as the donation does not cause the donor employee's vacation, or sick leave balance to fall below 40 hours. In order to receive Catastrophic Leave donations, an employee must be eligible for legally protected leave, have experienced a serious medical illness or injury, and exhausted their own accrued leave credits including all paid time off, floating holidays (eligible to be used during the approved absence), vacation, sick leave, and other administrative leave.

Employees who qualify for leave under the Family and Medical Leave Act (FMLA), California Family Rights Act (CFRA), or Pregnancy Disability Leave (PDL) qualify for consideration for the Catastrophic Leave Program. The FMLA and CFRA require covered employers to provide up to twelve (12) weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. This includes serious health conditions, defined as an illness, injury, impairment, or physical or mental condition that makes the employee unable to perform the employee's job. The same definition applies to a catastrophic illness or injury of an incapacitated member of the employee's immediate family if it results in the employee being required to take time off for an extended period in order to care for the family member and the employee has exhausted all his/her own accrued leave credits including all paid time off, floating holidays (eligible to be used during the approved absence), vacation, sick leave and other administrative leave.

An employee may use donated leave only if the employee is on approved Medical Leave or Family Care Leave or on an Unpaid Leave of Absence following an approved Medical Leave or Family Care Leave period. A solicitation may not be conducted without the necessary approval for the leave. Employees who fail to complete and submit the required documentation will not be authorized to receive catastrophic leave donations. Employees receiving disability insurance or worker's compensation benefits may use donated leave only to supplement their benefits. Supplementation allows recipient employees to use donated leave credits to ensure continuance of their regular rate of compensation.

An employee may solicit leave donations by filling out a Catastrophic Leave Request Form. The Director of Finance and Administrative Services may post a notice to Request Catastrophic Leave Donations on the Intranet or through email. Employees who wish to donate leave will need to complete the Catastrophic Leave Donation Form and submit it to the Director of Finance and Administrative Services. The donation forms will be given to the Payroll Office for verification of available leave credits and transferring of hours. Payroll will notify the donors of the amount of time used and the pay period against which it was charged. Once an employee has donated leave, and the leave has been used by the recipient employee, those donations are irrevocable. Donated leave shall be used in the order donation forms are received in Payroll and as needed by the recipient.

Employees who separate their employment with RTPA may elect to donate some or all of their unused sick leave for the purposes of this policy.

Donated time will be transferred from employee to employee on a hour-for-hour basis and converted to sick time for the recipient employee. Recipients are required to exhaust **ALL** available leave (vacation, sick leave, floating holidays, and administrative) prior to receiving donated leave. Employees do not earn additional vacation, or sick leave while receiving donated time unless the cause of the absence is related to an industrial injury or accident.

This policy will be implemented on a case-by-case basis and will be treated in the most confidential manner possible unless otherwise requested by the employee seeking donations. The purpose of this summary is to provide a general orientation to the Catastrophic Leave Program. Benefits are subject to the terms and conditions of specific policies and/or applicable legal agreements.