

Regulation 4361.9: Catastrophic Leave Program

Status: ADOPTED

Original Adopted Date: 03/01/1992 | **Last Revised Date:**
05/01/2018 | **Last Reviewed Date:** 05/01/2018

Donations to Catastrophic Leave Program

An employee who chooses to donate accrued vacation and/or sick leave credits to the district's catastrophic leave program shall provide written notice to the Superintendent or designee of the amount and type of leave he/she wishes to donate. The Superintendent or designee shall review the donor's available leave and transfer the leave credits to a district pool of leave credits designated for this purpose.

Donations shall be at a minimum of eight hours, and in hour increments thereafter. (Education Code 44043.5)

All transfers of eligible leave credit shall be irrevocable. (Education Code 44043.5)

Employees should be cautious in making large donations of leave that they may need for their own use in the future.

The Superintendent or designee shall ensure that all donations are confidential.

Requests for Catastrophic Leave

A full-time or part-time employee may apply to the Superintendent or designee to use paid leave from the catastrophic leave program if he/she earns paid time off but has exhausted all his/her accrued paid leave and needs to take time off from work for an extended period of time due to his/her or a family member's catastrophic illness or injury. If the employee is incapacitated, a family member or caretaker may apply on his/her behalf.

The employee shall provide verification of the illness or injury. (Education Code 44043.5)

Verification shall be made by means of a letter, dated and signed by the individual's health care provider, indicating the incapacitating nature and probable duration of the illness or injury.

An employee may apply to receive up to 20 days of paid leave from the catastrophic leave program per school year. At the end of the 20-day period, he/she may apply for up to 20 days of additional leave credits.

Employees receiving compensation under worker's compensation provisions are not eligible to receive leave from the catastrophic leave program until exhausting such benefit.

An employee who is the recipient of donated leave credits shall use those credits within 12 consecutive months. (Education Code 44043.5)

If donated leave credits are not used by the employee within 12 consecutive months, the credits shall be returned to the pool of catastrophic leave for use by other eligible employees.

An employee who receives catastrophic leave shall use any leave credits that he/she continues to accrue on a monthly basis before receiving paid leave pursuant to this program. (Education Code 44043.5)

State	Description
Ed. Code 44043.5	<u>Catastrophic leave</u>
Ed. Code 44977	<u>Salary schedule for substitute employees</u>
Ed. Code 44978	<u>Sick leave; certificated employees</u>
Ed. Code 44983	<u>Compensation during leave; certificated employees</u>
Ed. Code 45190-45191	<u>Sick leave and vacation; classified employees</u>
Ed. Code 45196	<u>Salary deductions during sick leave; classified employees</u>
Lab. Code 245-249	<u>Healthy Workplaces, Healthy Families Act of 2014</u>
Management Resources	Description
Website	<u>CSBA District and County Office of Education Legal Services</u>

Code	Description
4112.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4112.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4157.1	<u>Work-Related Injuries</u>
4159	<u>Employee Assistance Programs</u>
4161	<u>Leaves</u>
4161	<u>Leaves</u>
4161.1	<u>Personal Illness/Injury Leave</u>
4161.8	<u>Family Care And Medical Leave</u>
4212.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4212.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4257.1	<u>Work-Related Injuries</u>
4259	<u>Employee Assistance Programs</u>
4261	<u>Leaves</u>
4261	<u>Leaves</u>
4261.1	<u>Personal Illness/Injury Leave</u>
4261.8	<u>Family Care And Medical Leave</u>
4312.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4312.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4357.1	<u>Work-Related Injuries</u>
4359	<u>Employee Assistance Programs</u>
4361	<u>Leaves</u>
4361	<u>Leaves</u>
4361.1	<u>Personal Illness/Injury Leave</u>
4361.8	<u>Family Care And Medical Leave</u>