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**Administrative Regulation**  
Chapter 7 – Human Resources

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**AR 7345      CATASTROPHIC LEAVE PROGRAM**

**Catastrophic Illness or Injury**

Catastrophic illness or injury is defined as one that is expected to incapacitate the employee for an extended period of time, and taking extended time off work creates a financial hardship for the employee because he or she has exhausted all of his/her sick leave and other paid time off. Examples include, but are not limited to, life threatening injury or illness; cancer; AIDS; heart surgery; stroke; etc.

**Leave Bank**

1. Any employee may donate accumulated leave but MUST retain no fewer than 20 days or 160 hours of sick leave in his/her personal account. An employee who is retiring or terminating and wishes to donate unused sick leave may do so with no limitation; 50% of their donation will be credited to the Leave Bank.
2. Accumulated vacation days/hours may be donated with no restriction.
3. All donated days/hours are irrevocable.
4. Unused donated days will revert to the Leave Bank for use by other catastrophically ill or injured employees who request and are approved to use days/hours from the bank.
5. Donated sick leave or vacation days/hours are credited and charged on the basis of day-for-day regardless of the classification and/or salary of either the donee or the donor.
6. Leave may be donated either to an individual account or to the District-wide Leave Bank at the option of the donee.

**Employee Eligibility**

1. The employee must be/expected to be incapacitated or absent for an extended period of time of no fewer than 30 consecutive calendar days.
2. The employee or authorized designee must submit a letter to the Vice President, Human Resources requesting either a call for specific donations or donations from the District Leave Bank.
3. The employee must submit medical verification which is subject to verification by the District. The District may require additional medical verification from a physician selected by the District and at the expense of the District.

4. Faculty must use all accumulated/advanced sick leave prior to using any donated leave. Administrators, managers and Classified employees must use all accumulated/advanced sick leave plus all accrued vacation prior to using any donated leave.
5. All donated leave must be used within a 12-month period after the donation and may be used only for the specified catastrophic illness or injury. Leave days will be placed in a special donated account for up to one year. If the employee returns to work and has a reoccurrence of the same or related catastrophic illness or injury, after using any accumulated/advanced sick days, previously donated days may be used.
6. In unusual circumstances, the Catastrophic Illness/Injury Committee may consider and approve a request to extend the period of use of donated days for a period of up to one additional year.
7. NOT COVERED: Stress related illness; elective surgery, normal pregnancy, workers compensation claims, disabilities resulting from alcoholism or drug addictions, intentionally self-inflicted injuries, or normal illness such as recurring colds, flu, allergies, headaches, etc.
8. Any employee who has omitted relevant or provided falsified information on his/her medical history or other medical documentation may be denied access to the benefits of this plan.

#### **Catastrophic Illness/Injury Committee**

1. A joint District catastrophic illness/injury committee will oversee the implementation of this plan. This committee will be chaired by the Vice President of Human Resources.
2. The committee will be comprised of one representative appointed by the Faculty Association, CSEA and Management respectively. In addition, either the Faculty Coordinator for Health Services or the Director of Health Sciences will serve as an advisor to the committee. In the event the committee is unable to reach a decision regarding eligibility for donated leave the District will obtain an advisory opinion from an appropriate physician and provide the committee with that information. In the event the committee is still unable to reach a decision the Vice President of Human Resources will make the final decision.

#### **Miscellaneous**

1. Participation in this plan is voluntary on behalf of the donor or the donee. Participation is not subject to the Grievance process in any bargaining agreement or district policy.
2. Amendments/modifications to the plan shall be mutually agreed to by the Faculty Association, CSEA, Management and the Board of Trustees.
3. The Catastrophic Illness/Injury committee will meet to determine forms and procedures for implementation and appropriate participation by part-time faculty or faculty with overload assignments who accumulate sick leave.

Also see the collective bargaining agreements for applicable employee groups.

#### **Reference:**

Education Code Section 87045

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**Updated:** November 2018

*(Replaces SMC AR 3114)*