

**SUPERIOR COURT of CALIFORNIA, COUNTY OF ORANGE
CATASTROPHIC LEAVE PROGRAM**

This agreement will be in effect from 7/4/08 through 9/22/11.

Section 1. Eligibility for Donations

- A. To receive Catastrophic Leave Donations an employee must:
1. Have a catastrophic medical condition themselves or an immediate member of their family which will require the employee to be on unpaid leave for at least 30 calendar days.
 2. For purposes of catastrophic leave, immediate family shall mean father, father-in-law, mother, mother-in-law, step-parent, brother, sister, spouse, registered domestic partner, child, grandparent, grandchild or legal guardian.
 3. Exhaust all accrued sick leave, vacation and compensatory time.
 4. Employees who are caring for a family member with a catastrophic illness must file a note from a certified care giver which states that the family member's presence is required. Upon presentation of documentation, employees will be permitted to use sick leave if their continued absence will be required at least 30 calendar days after their vacation and compensatory balances have been exhausted. Further evidence that all leave balances, including sick leave, will be exhausted for at least 30 calendar days must be submitted prior to implementation of collecting catastrophic leave donations.
 5. Submit to the Chief Human Resource Officer of the Superior Court a written request for donations accompanied by a medical statement from the employee's or family member's physician; the attending physician's statement must verify the employee's need for an extended medical leave and must include an estimated time the employee will be unable to work.
- B. Employees who receive donations under this procedure and who exhaust all donated sick leave may request an additional donation period subject to the provisions of Section 1.A. and Section 2, herein.

Section 2. Donation Procedure

- A. Upon receipt of a valid request for donations from an eligible employee, the Executive Officer of the Superior Court (or his/her designee) shall post a notice of the eligible employee's need for donations on bulletin boards accessible to employees and send notice via electronic mail to all court employees and commissioners; confidential medical information shall not be included in the posted notice.
- B. Employees shall be provided a two week period to submit their donations; donations received after the submission period shall not be processed.
- C. All donations shall be voluntary.
- D. Employees may donate vacation or compensatory time to the eligible employee; sick leave may not be donated.
- E. Donations must be a minimum of two (2) hours, but cannot exceed sixteen (16) hours per donating employee; all donations must be made in whole hour increments.
- F. All donations shall be irrevocable, except as provided in section K below.
- G. Employees wishing to donate time to the eligible employee must provide the following:
 - 1. The donating employee's name, Social Security Number, Court name and FUBU and Timekeeping Location.
 - 2. The number of hours of compensatory/vacation time he/she wishes to donate with the limitations of Section 2.E., above.
 - 3. The name, Court location and class title of the eligible employee to whom the time is being donated.
 - 4. A statement from the donating employee indicating he/she understands that the donation of time is irrevocable, except as provided in section K below.
 - 5. The donating employee's signature authorizing the transfer of the donated time to the eligible employee.

Donation authorizations which do not contain all of the above information shall not be processed.

- H. At the close of the donation period, the Superior Court shall confirm that each donating employee has accrued time balances sufficient to cover the designated donation. The donated hours will then be transferred on a straight hour to hour basis to the recipient's sick leave account in the amounts designated under section "K" below.
- I. Donated hours will generally be processed on a "first-come, first-used" basis.
- J. An employee who is on a leave without pay at the time he or she receives a Catastrophic Leave Donation will be treated as if on an Official Leave of Absence for purposes of probation and merit increase eligibility.
- K. Donated hours will be processed in 80 hour increments for the duration of the Catastrophic Leave period. Once the Catastrophic Leave period ends for the employee, any remaining hours donated will not be processed and will be returned to the donor(s). Unused donated hours will be returned to the donor's vacation or compensatory accounts, whichever is applicable.
- L. Should an employee receive Catastrophic Leave donations while a Workers Compensation claim is pending, and the Workers Compensation claim is subsequently approved, all donated hours will be returned to the donor(s).
- M. Any Catastrophic Leave requests and donated hours which have been processed for eligible employees prior to July 4, 2008 will be processed and/or remain on the recipient's books under the terms of the former Catastrophic Leave program.