


STATE OF OHIO
ADJUTANT GENERAL'S DEPARTMENT
2825 West Dublin Granville Road
Columbus, Ohio 43235-2789

MEMORANDUM

TO: SEE DISTRIBUTION 
FROM: Gregory L. Wayt, Major General (Ohio), The Adjutant General
DATE: January 5, 2005
SUBJECT: POLICY – State Employee Procedure Letter #32
Leave Donation Program

1. REFERENCES:

- A. Ohio Administrative Code Section 123:1-46-05 and 123:1-47-01
- B. Ohio Revised Code Section 124:391
- C. Article 29.06 AFSCME/OCSEA Agreement

2. SCOPE: This policy applies to all full-time permanent bargaining unit and exempt state employees of the Adjutant General's Department.

3. PURPOSE: Employees may donate leave to a fellow employee of the Adjutant General's Department who is otherwise eligible to accrue and use sick leave. The intent of the leave donation program is to allow employees to voluntarily provide assistance to their co-workers who are in critical need of leave due to the serious illness or injury of the employee or a member of the employee's immediate family. Immediate family means an employee's spouse, parents, children, grandparents, siblings, grandchildren, brother-in-law, sister-in-law, daughter-in-law, son-in-law, mother-in-law, father-in-law, step-parents, step-children, step-siblings or a legal guardian or other person who stands in place of a parent. (Administrative Code Section 123:1-47-01).

4. GENERAL:

- A. An employee may receive donated leave, up to the number of hours the employee is scheduled to work each pay period, if the employee who is to receive donated leave:
 - 1. Or a member of the employee's immediate family has a serious illness or injury;
 - 2. Has no accrued leave or has not been approved to receive other state-paid benefits; and
 - 3. Has applied for any paid leave, workers' compensation, or benefits program for which the employee is eligible. Employees who have applied for these programs may use donated leave to satisfy the waiting period for such benefits where applicable, and donated leave may be used following a waiting period if one exists in an amount equal to the benefit provided by the program, e.g., fifty six (56) hours per pay period may be utilized by an employee who has satisfied the disability waiting period and is pending approval. This is equal to the seventy (70) percent benefit provided by disability.
- B. Employees may donate leave if the donating employee:
 - 1. Voluntarily elects to donate leave and does so with the understanding that donated leave will not be returned;
 - 2. Donates a minimum of eight hours; and

AGOH-SHRD

**SUBJECT: Policy - State Employee Procedure Letter #32
leave Donation Program**

3. Retains a combined leave balance of at least eighty hours. Leave shall be donated in the same manner in which it would otherwise be used except that compensatory time is not eligible for donation.
- C. The leave donation program shall be administrated on a pay period by pay period basis. 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. 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 not count toward the probationary period of an employee who received donated leave during his/her probationary period. Donated leave shall be considered sick leave, but shall never be converted into a cash benefit.
- D. Employee who wish to donate leave shall certify:
 1. The name of the employee for whom the donated leave is intended;
 2. The type of leave and number of hours to be donated;
 3. That the employee will have a minimum combined leave balance of at least eighty hours; and
 4. That the leave is donated voluntarily and the employee understands that the donated leave will not be returned.
- E. The Appointing Authority shall ensure that no employees are forced to donate leave. The employee's right to privacy shall be respected. However, the Appointing Authority 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 co-worker's critical need for leave. The Appointing Authority shall not directly solicit leave donations from employees. The donation of leave shall occur on a strictly voluntary basis.
5. **PROCEDURE:** Employees who wish to donate leave shall complete a Leave Donation Program - Donor Application Form (copy attached) and submit it to the State Human Resources Division (AGOH-SHRD).

Enclosure (1)

1 - ADM 4256 - Leave Donation Program – Donor Application Form

DISTRIBUTION:

AD

LEAVE DONATION PROGRAM -- DONOR APPLICATION FORM

FOR PAYROLL PERIOD ENDING: _____

I. DONOR INFORMATION

Donating Employee:

(Last) (First) (Middle Initial) (Social Security Number)

Department: _____

Division _____ Employing Unit: _____

<i>Number of hours donated</i>	<i>Type of leave donated</i>
	Vacation
	Sick leave
	Personal leave
	TOTAL HOURS DONATED (Total must equal a minimum of 8 hours)

II. PERSON TO RECEIVE LEAVE

1. Use of donated leave is limited to 56 hours per pay period while awaiting disability benefits.
2. Donated leave may not be used to supplement state-paid benefit program(s) (e.g. disability leave, adoption/childbirth leave or workers' compensation).

Person to Receive Leave:

(Last) (First) (Middle Initial) (Social Security Number)

Department: _____

Division: _____ Employing Unit: _____

III. CERTIFICATION

I hereby certify that this request is made voluntarily. I was not coerced, intimidated or financially induced into donating leave. By signing I hereby relinquish all rights to the leave shown above and the benefits accruing to or attached to the same. I understand that the donation of leave is irrevocable and irreversible and that no leave will be refunded to me. I certify that I will have a remaining balance of 80 hours or more of combined leave (sick, vacation, personal and compensatory) after making this donation.

Date: _____

DAS ADM #4256 9/97

Signature of Donating Employee