

M E M O R A N D U M

To: PERSONNEL MANAGEMENT LIAISONS

Date: November 7, 1988  
Reference Code: 88-96

**THIS MEMORANDUM SHOULD BE DISTRIBUTED TO:**

Personnel Offices

From: Department of Personnel Administration

Subject: Catastrophic Leave Program - Nonrepresented Employees

The Department of Personnel Administration has recently adopted amendments to the regulation relating to the Catastrophic Leave Program. These amendments are consistent with those recently negotiated for represented employees. These changes include:

1. Allowing use of annual leave as a transferable leave credit.
2. Permitting the transfer of leave credits in one hour increments after a minimum donation of eight hours.
3. Permitting leave credits to be donated between appointing powers.

Also please note two major differences between Rule 599.925 as amended and the provisions in the contracts. These are:

1. A nonrepresented employee may receive donated leave credits for up to twelve months. The contracts provide for a three-six month period maximum with the ability to extend that period to six months upon approval by the appointing authority.
2. A nonrepresented employee may not receive donated leave credits from a represented employee even though he/she may donate to a represented employee.

A copy of Rule 599.925 as amended is attached for your information. These changes are effective November 1, 1988.

If you have any questions, please contact Ann McWherter of the Policy Development Office. She may be reached at (916) 324-9367 or ATSS 454-9367.



Wendell M. Coon, Manager  
Policy Development Office

Attachment

JENA235

**599.925. Catastrophic Leave-Nonrepresented Employees.**

At the discretion of the appointing power, nonrepresented employees as defined in Section 599.619 will be permitted to transfer eligible leave credits to a ~~time bank to be used by~~ a nonrepresented employee when a catastrophic illness or injury occurs.

(a) The following definitions shall be used in the application of this rule:

(1) Catastrophic illness or injury is defined as an illness or injury which is expected to incapacitate the employee and which creates a financial hardship because the employee has exhausted all of his/her sick leave and other paid time off. Catastrophic illness or injury may also include an incapacitated family member if this results in the employee being required to take time off from work for an extended period of time to care for the family member and the employee has exhausted all of his/her sick leave and other paid time off.

~~(2) A time bank is eight or more hours of leave credit donated by one or more nonrepresented employees to another nonrepresented employee who has been incapacitated by a catastrophic illness or injury.~~

~~(2)~~ (2) Eligible leave credits include annual leave, vacation, compensating time off (CTO) and/or holiday credits. They do not include sick leave.

(b) ~~A time bank for catastrophic illness or injury may be established.~~ Eligible leave credits may be donated for a catastrophic illness or injury:

(1) upon the request of ~~a nonrepresented~~ an employee;

(2) upon determination by the agency department director (or his/her designee) that the employee in the agency department is unable to work due to the employee's or family member's catastrophic illness or injury; and,

(3) ~~that~~ the employee has exhausted all paid leave credit.

(c) ~~If a time bank is established,~~ If the transfer of eligible leave credits is approved by the department's director or designee, any nonrepresented employee in that agency may, upon written notice to the Personnel Office, donate ~~eligibility~~ eligible leave credits in at a minimum of eight hour increments. to the time bank/ Donations thereafter must be in whole hour increments. Donations will be reflected as an hour for hour deduction from the leave balance of the donating employee. When transferring eligible leave credits ~~into a time bank,~~ the agency should assure that only credits that may be needed are transferred. A nonrepresented employee may donate eligible leave credits to a represented employee. A nonrepresented employee may not receive donated eligible leave credits from a represented employee. Transfer of eligible leave credits may be interdepartmental in accordance with the policies of the receiving department.

(d) In order to receive ~~time from the time bank,~~ donated leave credits, a nonrepresented employee must provide appropriate verification of illness or injury as determined by the agency. ~~The~~ A nonrepresented employee ~~for whom the time bank is established~~ eligible for this program will have any time which is donated ~~to the time bank transferred~~ credited to his/her account in eight hour increments. Donated credits will be reflected as an hour-for-hour addition to the leave balance of the receiving employee. Use of donated credits may not exceed a maximum of twelve (12) continuous months for any one catastrophic illness. The total amount of leave credits donated may not exceed an amount sufficient to insure the continuance of regular compensation. A nonrepresented employee who receives time through this program shall use any leave credits he/she continues to accrue on a monthly basis prior to receiving time from the time bank.

**NOTE!** Authority cited: Sections 3517.8, 19815.4(d) and 19816, Government Code. Reference: Section 3517.8, Government Code.