



SAN DIEGO STATE
UNIVERSITY

CATASTROPHIC LEAVE DONATION (CLD) PROGRAM

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The Catastrophic Leave Donation (CLD) Program allows for the donation and receipt of vacation and sick leave credits between all eligible University employees. An employee who has a catastrophic illness or injury and has exhausted all leave credits normally available to cover the required absence from work may use donated leave. The CLD program also allows participation in the program if an employee needs to be absent from work due to a catastrophic illness or injury of an immediate family member.

Definition of Catastrophic Illness or Injury:

A catastrophic illness or injury is defined as one that has totally incapacitated an employee's ability to work. Generally, if medical substantiation indicates that the condition causes inability to work for an extended period of time, the condition can be considered catastrophic. Chronic conditions such as cancer, AIDS, and residual effects of a stroke, may be considered catastrophic, even if the condition results in only intermittent absences. The University will determine each situation on a case-by-case basis. Conditions that are short-term in nature (i.e. flu, measles, common illnesses, common injuries, etc.) are not considered catastrophic.

This definition also includes the incapacitated condition of immediate family members if an employee is required to take an extended period of time off from work in order to care for the family member.

Eligibility to Donate: Any employee who accrues sick leave and/or vacation may donate leave credits to other employees, regardless of bargaining unit representation.

Eligibility to Receive: Any employee who accrues vacation and/or sick leave may receive donations if he/she has a catastrophic illness or injury and has exhausted all sick leave, vacation, compensatory time off (CTO), and personal holiday available for use.

Donations: Only sick leave and vacation credits may be donated. CTO may not be donated. ***For catastrophic leave related to family care, only vacation credits may be donated.*** Employees in Unit 11 (Teaching Associates only) may donate 1 to 16 hours of leave credits per fiscal year. Employees in Units 1 (Physicians), Units 2, 5, 7 & 9 (CSUEU), 3 (Faculty), 4 (Academic Support), 6 (Skilled Trades), 8 (Public Safety), along with MPP (M80), Executive (M98), Confidential (C99) and Excluded (E99) employees may donate 1 to 40 hours of leave credits per fiscal year. You may donate in one-hour increments.

The fiscal year of donation is determined by the date of donation regardless of when the credits are actually used by the recipient employee. Donations that are used are irrevocable.

Employees wishing to donate leave credits may do so by completing a Catastrophic Leave Donation Program form and returning it to the Payroll Services Office. In accordance with the donor's request, unused donated hours may be allocated to another approved CLD recipient or returned to the donor.

Use of Donated Leave Credits: CLD is used to bring an employee's salary up to full pay. In no case may an employee receive more than full pay because of leave donations. Leave credits will be deemed donated when actually transferred by Payroll Services to the recipient's record. The transfer of credit is done at the end of each pay period in which CLD is used, and will be transferred in the order of the dates actually pledged.

Employees continue to accrue leave (sick and/or vacation) credits while on catastrophic leave. Accruals must be used as they are earned before any donated leave is used. For employees whose appointments have not been renewed, donated leave may not be used beyond the last day of the appointment.

The total donated leave credit shall normally not exceed 3 calendar months, calculated from the first day of CLD use. Under unique circumstances, an additional 3 months may be approved.

Supplementation with other Disability Benefits: The purpose of CLD is to supplement any disability benefits for which an employee is eligible. Therefore, if an employee is eligible to receive other disability benefits such as Nonindustrial Disability Insurance (NDI), Industrial Disability Leave (IDL), or Worker's Compensation Temporary Disability (TD), CLD must be used only to supplement these benefits. An employee is not allowed to waive NDI and still apply for catastrophic leave donations. Supplementation refers to the use of donated leave credits to augment an employee's disability benefits, so he/she may receive his/her regular full net pay. ***All available leave credits (vacation, CTO, personal holiday, & sick leave) must be exhausted before CLD may be used as supplementation.***

Family Care CLD: CLD may also be used in cases when an employee must take an extended period of time off from work to care for an incapacitated member of his/her immediate family. Eligible employees must exhaust all accrued vacation, CTO, personal holiday and sick leave allowed for family care (see respective collective bargaining agreement for limitations on sick leave use for family care). Academic employees who do not accrue vacation may still receive donated vacation credits for family care. ***Only vacation credits may be donated for use in CLD cases associated with family care.***

- “Immediate family” is defined as close relatives or other persons residing in the employee’s immediate household, except domestic employees, roomers, and roommates.
- For Unit 8 employees, please refer to the sick leave provision of the collective bargaining agreement for the definition of “immediate family”.

Solicitation Procedures:

- An employee or the employee’s designee (e.g. a union representative/steward, a manager/supervisor, a co-worker) may arrange to solicit donations through The Center for Human Resources.
- To participate, a written request and medical substantiation from the treating physician must be submitted to The Center for Human Resources.
- The medical substantiation should indicate a need for a leave, ***not a diagnosis of the medical condition***, and an estimate of the duration of the employee’s absence. CLD Medical Certification forms are available in The Center for Human Resources.
- The Center for Human Resources will review and approve the requests.
- Upon notification of approval, Payroll Services should be contacted at (619) 594-5251 to determine when donations will be needed and the amount of leave credits required. Catastrophic Leave Donation Forms are available in The Center for Human Resources.
- Discretion should always be exercised when making solicitations to the campus on behalf of an employee. The designee should ensure that he/she understands the employee’s preferences. For example, an employee may not wish to have a campus-wide E-mail asking for donations or may wish the message to be limited to “due to illness/injury donations are needed” without citing specifics.

This is only a summary of the Catastrophic Leave Donation Program. There are other specifics that may not apply to the majority of employees and have not been addressed. If you need additional information or have questions regarding your specific situation, contact The Center for Human Resources at (619) 594-6404.

Service Credit towards Retirement, Seniority Points, and MSAs: An employee will earn service credit toward retirement, seniority points, and merit salary adjustments while on catastrophic leave.

Service Credit toward Permanent Status: Donated leave is treated in the same manner as paid sick leave in determining service credit toward permanency. An employee’s probationary period is extended for periods of paid sick leave in excess of 30 days.

Eligibility of FERP Participants: FERP participants may donate credit at any time, even during their scheduled off-work period if the faculty member is expected to return to work the following academic term. However, they may receive and use donations only during scheduled work periods. If the illness/injury begins during an off-work period and extends into a scheduled work period, the faculty member should be placed on leave until he or she is able to return to work.