

Board of Lucas County Commissioners



TITLE: Leave Donation Policy

POLICY NUMBER: 33c

RESOLUTION NUMBER: 2025-149

SUPERSEDES POLICY: 33b

EFFECTIVE DATE: **2-26-2025**

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I. SCOPE

This policy applies to all employees under the appointing authority and jurisdiction of the Board of Lucas County Commissioners, subject, where applicable, to collective bargaining agreements.

II. PURPOSE

The Leave Donation Program is designed to allow employees to voluntarily assist eligible co-workers who need paid leave due to a serious illness or injury involving the co-worker or a member of their immediate family.

III. POLICY

As permitted by [Ohio Revised Code 124.391](#), the Board of Lucas County Commissioners will allow eligible employees to donate accrued but unused sick leave, vacation, and personal time on a limited basis to another eligible employee who has a qualifying serious injury or illness, or who has a covered family member who has a serious injury or illness, as defined below. Employees at JFS and CSEA may only donate to, and receive donations from, employees within their respective agencies.

IV. PROCEDURE

A. Eligible Employees

To DONATE sick leave, an employee must have a balance of at least 120 hours of sick leave after deducting the total donated hours. There is no minimum balance requirement to donate vacation or personal time.

To RECEIVE donated leave, an employee must:

1. have completed their initial probationary period, and
2. have a qualifying serious illness or injury, or have an immediate family member who has such, and
3. have no available leave time (sick, vacation, compensatory, or personal), and
4. not be receiving workers' comp, unemployment or PERS disability, and
5. not have active discipline in their personnel file related to excessive use of sick leave, abuse of sick leave, unauthorized absence, or pattern use of sick leave.

B. Qualifying Illnesses and Injuries

Leave may be donated for each serious illness or injury involving the employee or a member of their immediate family that requires hospitalization and/or an absence from work, more than ten (10) consecutive workdays, with at least five

(5) of the workdays being without pay, for each specific case of serious illness or injury.

For the purposes of this policy, an “immediate family member” is defined as:

1. A spouse or domestic partner,
2. A biological, adoptive, foster, or stepparent, child, sibling, grandparent, or grandchild,
3. A parent, child, or sibling-in-law,
4. A person who stood or stands *in loco parentis* to the employee or their spouse or domestic partner; or
5. Any other relative living in the household of the employee.

Normal pregnancy and childcare are not considered to be a serious illness or injury for the purposes of this policy.

Eligibility for Family and Medical Leave (FMLA) is a separate matter and does not guarantee that an individual will be eligible to receive donated leave.

C. Requesting, Receiving, and Using Donated Leave

Eligible employees requesting donated leave will complete the attached application and return it along with appropriate medical certification to the Director of Human Resources. The Director of Human Resources, or their designee shall review the request to ensure that the employee is eligible as defined by paragraph IV-A and IV-B. With the written permission of the employee, approved requests shall then be communicated to all co-workers. Requests that are denied may be appealed to the County Administrator.

An eligible employee may receive a maximum of 1,040 hours of donated leave per each specific approved and covered incident.

Employees using donated leave shall be in an active pay status and shall accrue sick and vacation leave and be entitled to any benefits to which they would otherwise receive. Any sick and vacation leave that is accrued must be used in the following pay period before donated leave can be used.

Donated leave shall never be converted into a cash benefit; it shall only be used to cover the eligible work hours that the affected employee would have regularly been scheduled to work each week. Employees who use donated leave will have those hours counted as absences for the purposes of determining eligibility for attendance-related bonuses, if applicable, *unless* the leave is covered under FMLA.

D. Donating Leave

Participation in this program is strictly voluntary. No employee is to be directly solicited to donate leave, nor shall any employee be forced to donate.

Leave may only be donated in eight (8) hour increments. Employees donating leave must specify the types and amounts of leave being donated (for example, “24 hours total equal 8 hours sick leave and 16 hours vacation) on the leave donation form.

An employee may donate sick leave only if they still have a balance of at least 120 hours after the donated hours are deducted. A maximum of 480 hours may be donated during the calendar year.

Employees wishing to donate leave must complete and return the "Leave Donation Form" to Human Resources, who will document each form in the order it is received. Once the appropriate balances have been determined, the donated leave shall be used in the order in which it was donated. If there are multiple donors giving more than eight (8) hours each, the donation will be taken eight (8) hours per person before going back and deducting more than eight (8) hours from any individual.

Leave that has been donated and used may not be returned to the donor, and the donor is not entitled to any compensation for the donated leave. Any donated but unused leave shall be returned to the donor.

Any donated hours will not be counted against the donor for purposes of determining eligibility for attendance-related bonuses, if applicable.

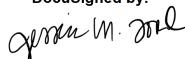
V. RETALIATION OR HARASSMENT

The Board of Lucas County Commissioners prohibits any retaliation, harassment, or adverse action due to an individual's request for sick leave donations under this policy or for reporting or participating in an investigation of unlawful harassment under this policy.

For further information and guidance please refer to:

- [Ohio Revised Code, Section 124.391](#)
- [Non-Retaliation Policy, Policy #55a](#)

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Signature of County Administrator

3/3/2025

Date

Revision History: Policy #33b, Resolution 2020-612, Passed August 11, 2020
Policy #33a, Resolution 2006-620, Passed April 5, 2006
Policy #33, Resolution 2005-1707, Passed November 15, 2005