



OHIO ASSOCIATION OF SOIL & WATER CONSERVATION DISTRICT EMPLOYEES

Catastrophic Sick Leave Program Fact Sheet

HISTORY OF THE PROGRAM

On January 21, 1997, a resolution was approved by the Ohio Federation of Soil and Water Conservation District Supervisors to allow Soil and Water Conservation Districts (SWCD) employees to donate or receive accrued but unused sick leave under certain circumstances and procedures for this donation and receipt. After the resolution was approved, Sub. House Bill 215 was introduced by Representative Gene Krebs and supported by Representatives Marilyn Reid and Jim Buchy. In June of 1997, the Catastrophic Sick Leave Donation Resolution was passed as an attachment to the budget by unanimous votes in both the Ohio House and Senate. It was reintroduced as a Law in 1999, where it was again passed by unanimous votes in both the Ohio House and Senate. Existing law in Ohio Revised Code Section 940.09 entitles employees of SWCD's to specified sick leave benefits. This legislation has enabled SWCD Employees in Ohio to assist five of their fellow employees since 1997.

CATASTROPHIC SICK LEAVE PROGRAM

The following outlines the established procedures to ensure the requesting employee's health and job needs are addressed.

As per Ohio Revised code 940.09, in accordance to the administration of the Catastrophic Sick Leave Program (CSLP), a serious health condition is defined as an illness, injury, impairment, or physical/mental condition meeting one of the following criteria:

- Involves inpatient care in a hospital, hospice, or residential medical care facility, including periods of incapacity or any subsequent treatment in connection with such inpatient care.
- Continuing treatment by a health care provider consisting of a period of incapacity involving treatment of two or more times by a health care provider, or treatment at least once by a health care provider which results in a regimen of continuing treatment.
- Periods of incapacity related to pregnancy and childbirth, including prenatal care.
- Chronic conditions – episodic incapacity (e.g. diabetes, epilepsy), permanent / long-term conditions (e.g. Alzheimer's, terminal cancer), or multiple treatments (e.g. Chemotherapy, dialysis).

If an employee has completed the prescribed probationary period, has used all accrued paid leave, and will be placed on an approved, unpaid, medical-related leave of absence for a period of at least thirty consecutive working days because of own serious illness or because of a serious illness of a member of the immediate family, the employee may be eligible to apply for CSLP benefits. Prior to submitting for CSLP benefits, the employee must check with the District Administrator to see if they are eligible for the following benefits first:

1. Family and Medical Leave Act (FMLA)
2. Workers Compensation benefits for a work-related Injury
3. Public Employees Retirement System (PERS) Disability Benefits.

The OASWCDE appoints a committee to act as a clearinghouse for the donation of sick leave under this section. This main contact person will be the CSLP Coordinator.

A SWCD employee or SWCD Board requests the necessary Request for CSLP donation form from the CSLP Coordinator to start the process for a donation of sick leave.

The SWCD employee submits the CSLP Leave Donation Request form to the SWCD Board for approval. If the request is not approved by the local board of supervisors, the request ends there. If the request is approved by the local board of



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supervisors, copies of the approved CSLP Leave Donation Request form and the physician's certification are sent to the CSLP Coordinator. ALL originals should be kept on file with the local SWCD.

The CSLP Committee reviews the CSLP Leave Donation Request to ensure all requirements set forth in ORC 940.09 are met and no additional information is needed. The CSLP Coordinator sends a notification to the requesting SWCD Board that a complete request has been received and a formal statewide request for leave donation will be started.

The CSLP Coordinator sends a notification to all Ohio SWCD employees requesting donations of leave for the requesting employee. A SWCD employee interested in donating leave submits a CSLP Request to Donate form to the local SWCD board of supervisors for approval. If the request is not approved by the local SWCD board of supervisors, the request ends there. If the request is approved by the local SWCD board of supervisors, copies of the board approved request are sent to the CLSP Coordinator. ALL originals should be kept on file with the local SWCD. All requests to donate forms must be received within 20 days of the CSLP committee approval date of the CSLP Leave Donation Request. If there is no scheduled board meeting within the 20 days, a SWCD may send a copy of the CSLP Request to Donate Form as notice of intent to donate until such a time that the local SWCD board of supervisors can vote on the request. Once the request is approved, a copy of the approved form should be forwarded on to the CSLP Coordinator.

After all approved donations requests have been received, the CLSP Coordinator will notify the receiving SWCD of the total dollar amount donated. The CLSP Coordinator will invoice the SWCDs donating leave for the approved amounts. Once the donated funds are received, they will be deposited in the CSLP checking account established for this purpose by the OASWCDE. This is a separate non-interest bearing account.

The SWCD receiving the CSLP donation will submit an invoice to the CSLP Coordinator each pay period for the receiving employee's established gross hourly wages up to the total amount needed but not to exceed the dollar amount donated along with a copy of the employee's timesheet and the auditor's payroll report for that pay period. Once received, the CLSP Coordinator will verify all paperwork and then issue a check from funds deposited into the CSLP Checking Account.

A check and the required Certification of Transferred Funds form will be sent to the receiving SWCD for the current pay period. The receiving SWCD will request the County Auditor and Budget Commission to certify the funds transferred where deposited into the SWCD's Special Fund for use in their salary expense line. The signed Certification of Transferred Funds form should be kept on file with the County Auditor and a signed copy returned to the CSLP Coordinator. The SWCD will utilize the funds for the payment regular payroll for the receiving employee. All regular deductions for income tax, health insurance, etc. should be deducted accordingly.

If all the sick leave donations are not used during the period of the receiving employee's approved leave of absence, the unused balance shall remain in the CLSP checking account the committee established according to ORC 1515.091 and shall be used to dispense funds in the future to an employing SWCD of a receiving employee.

After each 30 day leave of absence, a review will be held by the local board of supervisors to see if the employee is eligible to continue receiving Catastrophic Sick Leave Benefits or if the employee is eligible to re-apply for more benefits based on if the employee will need more assistance than was donated.

The Catastrophic Sick Leave Benefits cease upon the day disability, retirement, or any other benefits commence.

For more information, please contact the current CSLP Coordinator, Mike Libben at 419-898-1595, or by email at mike.libben@ottawaswcd.com