



Organ Donor Leave Policy

Purpose

Living Organ and Bone Marrow Donor Leave (Donor Leave) is intended to provide an opportunity for ODA employees to receive approval for a specified amount of paid leave immediately after donating their kidney, a portion of their liver, or bone marrow in order to recuperate from the procedure.

Authority

O.R.C. § 124.139

Scope

This Policy applies to all full-time ODA employees. No other appointment types are eligible for Donor Leave under this Policy.

Procedures

Effective Date and Triggering Event

Eligibility for taking Donor Leave shall begin on the date of the procedure. Employees who desire to use such leave must apply in writing ten (10) working days prior to the procedure or as soon as possible after the employee is informed of the date of the procedure.

The employee shall first notify his or her supervisor and the Human Resources Director. The employee shall then make an application for leave using the OAKS Time and Labor Request for Leave form. Employees must mark the box for "Other" and specifically indicate "Donor Leave" on the form. Employees must also specify the type of donation (kidney, liver, or marrow).

Leave and Benefit Amount

- a. A full-time state employee shall receive up to two hundred forty hours (240) of leave with pay during each calendar year to use during those hours when the employee is absent from work because of the employee's donation of any portion of an adult liver or because of the employee's donation of an adult kidney.
- b. A full-time state employee shall receive up to fifty-six (56) hours of leave with pay during each calendar year to use during those hours when the employee is absent from work because of the employee's donation of adult bone marrow.
- c. An employee who uses leave granted under division (A) or (B) of this section shall be paid at the employee's regular rate of pay for those regular work hours during which the employee is absent from work.
- d. For the duration of Donor Leave, an employee is eligible to receive all Employer-paid benefits and accrue all forms of leave.

Verification of Medical Procedure



- a. In order to receive Donor leave, the employee donating a kidney or portions of a liver, the employee's family member, or designated representative must submit a Physician or Health Care Provider Certification form within ten (10) days of the procedure to the Human Resources Director.
- b. The employee donating bone marrow, the employee's family, or designated representative must submit a Physician or Health Care Provider Certification form within three days of the procedure to the Human Resources Director.
- c. Failure to submit a Physician or Health Care Provider Certification form in a timely manner may result in the denial of the previously submitted employee leave request.

Working during Donor Leave

Under certain circumstances, an employee may be permitted to work a reduced schedule during any portion of the Donor leave, subject to approved medical authorization from the employee's attending physician. The physician statement must indicate the number of hours the employee can work and any restrictions placed on the employee's activities. An employee who is permitted to work a reduced schedule during such period shall establish a schedule that is acceptable to the employee's supervisor and the Human Resources Director.

Duration

Under no circumstances will Donor Leave be granted beyond the applicable statutory period for Donor Leave. Donor Leave shall not be used to extend the layoff date of employees or to extend a period of employment for established term regular or irregular employees.

Payment

Employees on Donor Leave will be considered to be in active pay status and receive pay as described above through the regular payroll process until the Donor Leave time corresponding to the procedure has been exhausted.

Disability Benefits

Employees who experience medical complications as a result of donating their kidney, a portion of their liver, or bone marrow that extend beyond the duration of the Donor Leave, may apply for state disability leave benefits. Employees would be required to meet all eligibility criteria for disability leave, including serving a fourteen (14) day waiting period after the conclusion of Donor Leave. Employees may utilize sick, vacation, personal leaves and/or compensatory time to receive pay during the fourteen (14) day waiting period. However, employees may only utilize sick, vacation, and personal leave to supplement the seventy percent (70%) of wages for the remaining time of disability leave benefits or any portion thereof. Compensatory time may not be used to supplement wages after the waiting period has been served.

Recovery of Improperly Paid Benefits

If fraud is suspected, all necessary steps to recover Donor Leave benefits paid in error shall be initiated. Any needed adjustments to ensure the proper payment of benefits may be made. When necessary, the Attorney General may be requested to take appropriate action to recover improperly paid benefits. Additionally, any employee who has fraudulently requested Donor Leave benefits may be disciplined, up to and including removal.



Contact

The Human Resources Director is available for consultation about potential situations that may involve the provisions of this Policy. This Policy supersedes any previously issued directive or policy and will remain effective until cancelled or superseded.

Revision History

Date	Description of Change
8/2012	Initial Policy Issued
8/2014	Policy Reviewed
7/2015	Policy Reviewed

