



CARD Policy and Procedure

POLICY #3497 Organ and Bone Marrow Donation
EFFECTIVE DATE 1/25/2024 **VERSION # 1**
DATE OF LAST REVISION **NEXT REVIEW DATE** 1/1/2026

APPLIES TO

Division Districtwide
 Sub-Division Human Resources

VERSION	REVISION DATE	DESCRIPTION OF CHANGE/SUPERSEDE	AUTHOR
1	12/22/2023	Labor Code secs. 1508 – 1513	Michelle Niven

PROCEDURE

The amount of leave to which an eligible employee is entitled depends on whether the employee is an organ donor or bone marrow donor.

- Organ donors will be provided with an unpaid leave of absence of up to 30 business days in any one-year period. A "one-year period" is 12 consecutive months measured from the date the leave begins.
- Bone marrow donors will be provided with an unpaid leave of absence of up to five business days in any one-year period, again measured from the date the leave begins.
- Employees may use donor leave all at once or intermittently.

Employees will be required to use up to five days of their accrued paid time off for leave under this policy to donate bone marrow, and up to two weeks of their accrued paid time off for leave to donate an organ.

Eligibility

An employee must have been employed with the District for at least 90 days to take organ and bone marrow donor leave and must provide written verification to the client that he/she is an organ or bone marrow donor, and there is a medical necessity for the donation.

Organ and bone marrow donor leave is not considered a break in service for purposes of salary adjustments, sick leave, vacation time, paid time off, annual leave, or seniority. The District will also continue to maintain and pay for group health care coverage for the employee in the same manner as if the employee was actively working.

Organ and bone marrow donor leave is separate from and does not run concurrently with leave taken under the California Family Rights Act (CFRA).

Reinstatement


The District will reinstate an employee returning from organ and bone marrow donor leave to the same position the employee held when the leave began or to a position with equivalent seniority, benefits, pay, and other terms and conditions. Nevertheless, reinstatement is not required if the job would not have been available to the employee if the employee had not taken leave. For example, if the District can show

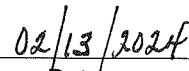
Policy #3497 – Organ and Bone Marrow Donation

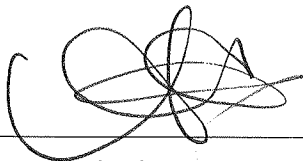
that an employee would have been laid off whether the employee took donor leave or not, reinstatement is not required.

Managers and Supervisors are also forbidden from discharging, fining, suspending, expelling, disciplining, or in any way discriminating against employees who take donor leave or who oppose unlawful practices related to organ and bone marrow donor leave.


Authority: Labor Code secs. 1508 – 1513

Michelle Niven 
Author (print and sign)


Date



Annabel Grimm
General Manager


Date

Approved by the Board of Directors on: **January 25, 2024**