


June 17, 2025
State Bar #4
Section 27.M – Catastrophic Leave Bank

Tentative Agreement

The State Bar and SEIU, Local 1000 (Union) reached a tentative agreement on the proposal below. Per the Ground Rules, all tentative agreements are subject to an overall agreement and an overall agreement is subject to approval by the Board of Trustees and the membership of the Union.

FOR SEIU, LOCAL 1000:

DocuSigned by:

BEGE4790FA10484...

Brian Hoeber
Staff Attorney

6/18/2025 | 1:07 PM PDT

Date

DocuSigned by:

26EC8B33E94A4BE...

Shataka Shores-Brooks
Bargaining Chair

6/18/2025 | 1:59 PM PDT

Date

FOR THE STATE BAR:

Signed by:

08202CGF804F496...

Justice Israel
Director of Human Resources

6/18/2025 | 2:01 PM PDT

Date

SECTION 27. PAID PERSONAL LEAVE AND PAID SICK LEAVE

M. CATASTROPHIC LEAVE BANK

Each calendar year an Employee may elect to donate the value of up to a combined total of ~~five~~ **ten** (**10** 5) days' sick leave or vacation time in full day increments to the catastrophic leave bank. This bank will be available only to Employees when a non-work related catastrophic injury or illness occurs and when there is a reasonable expectation that the Employee will return to work from the leave of absence.

1. The following definitions shall be used in the application of this provision.
 - a. Catastrophic illness or injury is defined as a (1) non-work related illness or injury, (2) medically certified by a physician to be serious, debilitating and disabling and which in the opinion of the certifying physician is expected to incapacitate the Employee on a long term basis (no fewer than thirty (30) calendar days) precluding the

Employee from working for that period and (3) which creates a financial hardship because the Employee has exhausted all of their sick bank and other paid time off.

b. The value of the donation shall be based upon the donor's ~~current~~ daily base salary rate or ~~current~~ base hourly rate **at the time of the donation.**

2. An Employee who elects to donate the value of a paid time off day to the bank may do so at any time through the Oracle self-service system. Such donations shall be deducted from the donor Employee's account. If an Employee would like to donate to a specific recipient, they must e-mail the Office of Human Resources and indicate to whom they would like to donate. If no specific recipient is identified, the donation will be applied to the general Catastrophic Leave bank. If donations exceed need for a specific recipient, funds will roll over into the general Catastrophic Leave Bank.

3. If available, payments from the bank may be made:

a. Upon the request of the ill or injured Employee; and

b. Upon determination by the ~~Chief Administrative Officer~~ **Director of Human Resources** that the Employee is unable to work due to a medically verified non-work related catastrophic illness or injury; and after

c. The Employee has exhausted all paid and other time off; **and**

d. **The Director of Human Resources has determined that there is a reasonable expectation that the Employee will return to work. Payments shall not be made to Employees who have separated from the State Bar; submitted their resignation or have a confirmed separation date; or have been issued a Notice of Medical Separation.**

4. Upon receipt of a request for catastrophic leave payments, the ~~Chief Administrative Officer~~ **Director of Human Resources** or designee, will ensure the applicant meets the criteria set forth above. Distributions from the catastrophic leave bank will be used solely to:

a. Maintain in effect the ill or injured Employee's State Bar health insurance at the time the Employee became incapacitated; **and**

b. Replenish the ill or injured Employee's exhausted sick leave bank with paid sick leave up to an amount not to exceed ~~the~~ twelve (12) weeks **in any twelve (12)-month period. Payments under this provision will only be made for an Employee's own illness or injury. an Employee is on medically approved (FMLA) medical leave due to the Employee's illness or injury;**

c. ~~Distributions to any Employee from the bank, under Subsection 4.a above, shall not be for a period in excess of eighteen (18) continuous months for any one catastrophic illness.~~

5. The State Bar will make distributions from the catastrophic leave bank equally to all who apply and are eligible to receive. Should the demand be greater than funds in the bank, the bank will not make further distributions until either the leave bank is replenished or demand can be accommodated.

6. The State Bar will provide all Employees seeking any long term leave of absence, including FMLA qualified and ADA/FEHA leaves, with written notice that Catastrophic Leave is available and that they may apply for such leave.

7. Any dispute regarding this Subsection M of the Memorandum of Understanding will not be subject to the grievance procedure.

8. ~~Notwithstanding any language to the contrary in this subsection M, the State Bar and the Union agree that Employees who are medically separated, and for whom the State Bar had submitted or will submit an Employer Originated Disability Retirement Application to CalPERS, are eligible to apply for and eligible to receive up to twelve (12) weeks of Catastrophic Leave pursuant to Section 33.11.~~