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Lorain County Clerk of Courts
USW Local #8845

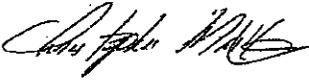
**MEMORANDUM OF UNDERSTANDING
ON SICK LEAVE DONATION**

The Lorain County Clerk of Courts (Employer) and the United Steelworkers (Union) have met for the purposes of discussing the creation of a leave donation program within the office so that it may be offered to bargaining unit members. Those discussions have produced a policy. (attached hereto as Exhibit A) The parties agree that bargaining unit members shall have the ability to donate leave and receive donated leave under the terms of this policy and abide by the terms and conditions set forth in Exhibit A, effective 8/8/2013. The Employer explicitly reserves the right to modify or discontinue this program at its sole and exclusive discretion; however, prior to doing so, it will meet and discuss the matter with the union if that is to occur.

For The Employer

For The Union







Date: 8/19/2013

Date: August 19, 2013

SICK LEAVE DONATION

SECTION 6.14 (PROPOSED)

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- A. The purpose of a sick leave donation policy is to aid employees experiencing serious medical conditions (or that of immediate or household family members) who have exhausted all of their own paid leave by providing them donated paid leave to cover continued, approved work absences for use for which sick leave is appropriate, including pregnancy-related conditions. This is a benefit and not an entitlement. The policy allows employees to donate accumulated leave to a sick leave bank to be used by co-workers who meet the eligibility requirements as set forth below.
- B. A serious medical condition is a condition that severely affects the health of the employee and requires absence from work. The serious medical condition must also meet the eligibility criteria under the FMLA.
- C. Only non-probationary status employees who have no available paid leave (sick, vacation, personal, compensatory, floating holidays) and either have serious medical conditions of their own or have immediate or household family members with serious medical conditions are eligible to receive donated leave. Employees who are serving a period of disciplinary suspension are not eligible to receive donated leave. Donated leave may only be received up to and including the date of termination of employment, but not thereafter.
- D. This policy is not intended to supplant or replace entitlement programs such as workers' compensation, disability benefit plans, or retirement benefit plans.
- E. Co-workers may donate any form of leave, provided that they do so voluntarily and with the understanding that donors are not entitled to any, refund, reward, or compensation for the donated leave. Donors are required to maintain a combined leave balance of 160 hours after any donation to the bank is made. Donations may only be made in one hour increments.
- F. An employee seeking to be paid with donated sick time must provide documentation to the Clerk of the employee's serious medical condition, or that of the employee's immediate or household family member. If the employee has a supplemental entitlement program, such as a disability plan, the employee should provide details on the plan payout terms. Under no circumstances will an employee receive donated leave at a rate in excess of the number of hours the employee is normally scheduled to work each pay period or in an amount that, combined with any entitlement program, exceeds the amount of pay an employee would receive normally receive in a pay period.

SICK LEAVE DONATION

SECTION 6.14 (PROPOSED)

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- G. A committee comprised of the Clerk, Chief Deputy Clerk, and Assistant Chief Deputy Clerk of the employee's Division will review the employee's request and eligibility to receive donated leave from the bank. If the request is approved, the employee will be notified of both the start date and the duration of approved donated leave. If denied, the employee will be notified of the reason for the denial. All determinations of the committee are final.

- H. The maximum amount of donated leave a full-time employee may receive in a consecutive twelve month period is 320 hours. An employee receiving donated leave is considered to be in active pay status and accrues paid time at the applicable rates, which must be used in the next successive pay period before any additional donated leave can be applied. An employee receiving donated leave who returns to work prior to using all of the donated leave hours for which the employee was approved is not entitled to keep any of those donated hours or receive any compensation for those hours. Such unused hours remain in the leave bank.

- I. An employee receiving donated leave may also be concurrently on FMLA leave time.

STATE EMPLOYMENT
RELATIONS BOARD



RON NABAKOWSKI 2014 JAN 17 PM 2: 41
LORAIN COUNTY CLERK OF COURT
Legal Division
Lorain County Justice Center
225 Court Street, First Floor
Elyria, OH 44035

January 15, 2014

Ohio State Employment Relations Board
Research and Training Section
65 East State Street
12th Floor
Columbus, OH 43215

RE: 2014 Public Employer Annual Information Report

Dear Sir or Madam:

Enclosed please find our updated report, along with a memorandum of understanding that was recently entered into between Mr. Nabakowski and USW Local #8845. If you require any other information, please feel free to contact our Chief Deputy, Jean Tucker.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Kathryn Lenz".

Kathryn Lenz,
Staff Attorney to
Ron Nabakowski
Lorain County Clerk of Court

Encls.