

POLICY 4727

SHARED LEAVE

POLICY

The College shall establish and implement legislated provisions (RCW 41.04.655, 41.04.660, 41.04.665) which allow state employees to come to the aid of a fellow state employee who is suffering from (or who has a relative or household member suffering from) a severe or extraordinary illness or injury, or an employee who has been called to service in the uniformed services, which has caused, or is likely to cause, the employee to take leave without pay or to terminate his/her employment, provided there is no significantly increased cost to the state.

Approved by:
Board of Trustees11/27/90
Revision Approved by:
Board of Trustees.10 /22/03
Recommended by:
College Council. 10/14/03

The Board of Trustees hereby revises Policy 4727.

Done in Open Meeting by the Board this 22nd day of October, 2003

Board of Trustees
Shoreline Community College

By: /s/ Edith Loyer Nelson
Chair of the Board

PROCEDURAL GUIDELINES

There are a number of conditions that must be met before an employee can donate or receive leave under these provisions. This document sets out those conditions and defines the provisions to be utilized for implementation.

CONDITIONS FOR RECEIPT OF DONATED LEAVE

A faculty member, classified, or administrative/exempt staff member may be eligible to receive shared leave if the College President has determined the employee meets the following criteria:

1. The employee must be suffering from, or have a **RELATIVE** or **HOUSEHOLD MEMBER** suffering from, a **SEVERE** or **EXTRAORDINARY** illness, injury, impairment, or physical or mental condition, or the employee has been called to **SERVICE IN THE UNIFORMED SERVICES**, which has caused or is likely to cause the employee to take leave without pay or terminate his/her employment.

For the purposes of the Washington State leave sharing program, the following definitions apply:

"RELATIVE" normally shall be limited to the employee's spouse, child, stepchild, grandchild, grandparent, or parent. Only the College President may approve application beyond the norm.

"HOUSEHOLD MEMBER" is defined as a person who resides in the same home who has reciprocal duties to and does provide financial support for one another. This term includes foster children and legal wards. The term does not include persons sharing the same general house when the living style is primarily that of a dormitory or commune.

"SEVERE" or "EXTRAORDINARY" situations are defined as those which are serious, extreme and/or life threatening.

"SERVICE IN THE UNIFORMED SERVICES" means the performance of duty on a voluntary or involuntary basis in a uniformed service under competent authority and includes active duty, active duty for training, initial active duty for training, inactive duty training, full-time national guard duty including state-ordered active duty, and a period for which a person is absent from a position of employment for the purpose of an examination to determine the fitness of the person to perform any such duty.

"UNIFORMED SERVICES" means the armed forces, the army national guard, and the air national guard of any state, territory, commonwealth, possession, or

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- district when engaged in active duty for training, inactive duty training, full-time national guard duty, or state active duty, the commissioned corps of the public health service, the coast guard, and any other category of persons designated by the President of the United States in time of war or national emergency.
2. The employee must have depleted:
 - annual leave and sick leave reserves to qualify under WAC 251-22-260 (1)(a)(i);
or
 - annual leave and paid military leave allowed under RCW 38.40.060 to qualify under WAC 251-22-260 (1)(a)(i).
 3. The employee must have abided by agency procedures and rules regarding sick leave use.
 4. The employee's absence and the use of donated leave are justified.
 5. To request approval, the employee must complete a Shared Leave Acceptance/Authorization form (available in the Office of Human Resources). The form must be accompanied by a medical certificate from a licensed physician or health care practitioner verifying the employee's required absence, the description of the medical problem, and the expected date of return-to-work status; or a copy of the military orders if called to Service in the Uniformed Services.
 6. The College President shall determine the amount of leave, if any, which the employee may receive. However, per WAC 251-22-270 (1) an employee shall not receive more than five hundred and twenty-two (522) days of shared leave for their lifetime of qualified employment.
 7. If the situation is a result of an injury sustained on-the-job, the employee must have diligently pursued and been found to be ineligible for benefits under Chapter 51.32 RCW. If a time loss claim is approved at a later time, all leave received shall be returned to the donors, and the employee will return to the College any excess monies received.

CONDITIONS FOR DONATION OF LEAVE

1. Administrative/Exempt and Classified Employees may donate leave as follows:
 - A. Annual leave: The donation may not cause the donating employee's annual leave account balance to drop below ten days (80 hours).
 - B. Sick leave: The donation may not cause the donating employee's sick leave account to drop below 22 days (176 hours).

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- C. Personal holiday: The donating employee may donate all or part of his or her personal holiday.
2. Faculty:
 - A. Only personal leave may be donated.
 - B. The donation may not cause the donating employee's personal leave balance to drop below 22 days (176 hours).
3. In order to donate leave, the donating employee must complete a Shared Leave Donation Form (available in the Office of Human Resources) specifying the amount of leave donated and the employee to whom the leave is to be donated.
4. The decision to donate leave is irrevocable once the form has been signed.

PROCEDURAL INFORMATION

1. Prior to presidential approval or denial of a request, the Office of Human Resources will verify adequacy of the proposed donor's balance and calculate the resulting donation.
2. Leave will be donated and received at a rate calculated by converting the donor's leave to a cash value and applying that cash value to the receiving employee.

Simplified examples:

- If a \$200/day employee donates a day's leave to a \$100/day employee, the \$100/day employee receives two days leave.
- If a \$100/day employee donates a day's leave to a \$200/day employee, the \$200/day employee receives a half-day's leave.
3. The leave received will be coded as shared leave and be maintained separately from all other leave balances to facilitate thorough legislative review.
4. Any shared leave not used by the recipient (because of no longer meeting the requirements to receive, requesting that donated leave cease, employee death or termination of employment, achieving the maximum for receipt, etc.) shall be returned to the donor(s) on a pro-rata basis.
5. Unused shared leave may not be cashed out by the recipient under sick leave buyout rules, but shall be returned to the donor(s).

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- 6. For purposes of January Sick Leave Buyout, leave donated will be considered as leave used during the year donated and will thus reduce the amount which may be eligible for buyout.
- 7. Donations will not be allowed between general fund budgets and self-support programs, grants, or contracts without specific approval of the College President.
- 8. With the approval of the College President and the agency head of the other agency, leave may be transferred from/to other state agencies/institutions, except school districts or educational service districts.
- 9. Questions about the Shared Leave Program should be directed to the Office of Human Resources.

Approved by:
College Cabinet 11/20/90
Revision Approved by:
President’s Staff 10/01/01
President’s Executive Staff 10/06/03
College Council 10/14/03