

Procedure 506-8 – Shared Leave

This procedure provides for employees to donate accrued leave time to other employees who have exhausted all personal accrued leave balances and require additional time away from work as a result of a personal catastrophic illness or injury or to care for a covered family member who has suffered a catastrophic illness or injury.

Eligibility

Full-time regular, part-time partial-plus, and part-time partial employees who have exhausted or anticipate exhausting all personal leave, including compensatory time off, accrued vacation, accrued sick leave, floating holidays, and any other applicable paid leave, and have a documented expectation that there is a need for additional time off from work, are eligible to request donation of shared leave hours from other employees. Employees receiving paid time off through the Workers' Compensation Program are not eligible to request or use shared leave.

Use of Shared Leave

Shared leave may be used for the employee's own catastrophic illness or injury or to care for an immediate family member who has suffered a catastrophic illness or injury.

“Catastrophic illness or injury” means an extreme or life-threatening illness, injury, impairment, physical or mental condition that requires continuing treatment/supervision by a health care provider.

A “covered family member” means a spouse or domestic partner, child including stepchildren, parent including in-laws and their substantial equivalent.

Process

To the extent possible, shared leave requests will be administered in a manner that respects the privacy of the proposed recipient and does not identify the recipient. Donors may choose to remain anonymous.

Employees will submit a shared leave request to their department/agency/office leader who will forward the request to the Benefits Division of the Department of Financial Management & Administration (FMA-Benefits). To avoid a lapse in pay, employees should submit the request as soon as possible in advance of exhausting accrued leave.

Employees will be required to provide FMA-Benefits with medical documentation supporting the necessity and expected duration of the leave. FMA-Benefits may request additional documentation any time during the approved leave. Failure to provide the requested information may result in denial, delay, or termination of the leave.

Employees seeking shared leave for their own catastrophic illness or injury must apply for Sick Disability Pay. Employees whose shared leave requests are approved may use shared leave immediately upon the filing of a Sick Disability claim and exhaustion of all accrued and unused personal leave. Employees may use shared leave to bridge the gap between their salary and Sick Disability Pay. Shared Leave is subject to available donated hours in the pay period in which it is approved.

FMA-Benefits will notify the employee's department/agency/office if the employee qualifies for shared leave and will coordinate with the department/agency/office regarding use of other leave and legal requirements.

Donations will be requested first from within the impacted department/agency/office. That department/agency/office leader is responsible for communicating the request for shared leave to their employees. If adequate donations are not received, FMA-Benefits will request donations from all other departments/agencies/offices. FMA-Benefits will handle all communication regarding donations from other departments/agencies/offices.

Employees may donate leave by submitting a "Shared Leave Donation Request" form to FMA-Benefits. No employee may be coerced into or provided financial inducement to donate leave time. An employee may donate the following types and amounts of leave:

- Any and all accrued and unused vacation hours.
- Any accrued sick leave in excess of the donor's annual accrual cap (for example, full-time regular employees on a 40-hour-per-week schedule must retain a leave balance of 96 hours).
- Any and all personal holidays.

Donations may not be less than the amount of leave accrued by the donor in one pay period. Employees cannot donate unused accrued sick leave upon separation from employment, after giving notice of intent to separate, or after receiving notice of the County's intent to involuntarily separate the employee from employment.

All hours donated are transferred to a leave bank upon donation. Donations not used by the employee whose request initiated the donation will be donated to other employees approved for shared leave. Once leave hours have been donated, they will not be returned to the donor.

Recipients of donations will receive a regular paycheck, with normal deductions, until all donated paid time off is exhausted or until leave is no longer medically necessary.

Limits

Shared leave time may be approved for a period not to exceed six calendar months in a rolling twelve-month period except in extenuating circumstances. Requests for an extension must be submitted in writing to FMA-Benefits for review and approval. Requests should be submitted prior to the expiration of the original leave to prevent a lapse in pay.

Effective 01.01.2020, Resolution No. 044-19