

## Voluntary Shared Leave

Board Policy: P-4

Adopted: August 10, 1992

Revised: February 14, 2011

Draft: Revise date would be June 9, 2014

### I. General Policy Statement

The purpose of voluntary shared leave is to provide economic relief for employees who, by the reason of prolonged absence caused by serious medical conditions, are likely to suffer financial hardship. This policy allows employees to voluntarily donate leave so as to provide assistance to a fellow employee affected by a medical condition that requires frequent absences or absence from duty for a prolonged period of time.

### II. Regulations

- A. Permission for an employee to receive shared leave will be granted by the Superintendent or Superintendent's designee in response to a request from the employee, which includes an explanation of the serious medical condition substantiated by a doctor's statement and an authorization for the release of medical information.
- B. The desire of an employee to donate leave, annual or sick, to another employee with an approved request for voluntary shared leave is to be communicated to the Superintendent by completion of the appropriate form signed and dated by the donating employee. The Superintendent or Superintendent's designee will provide authorization to the Payroll Department for the transfer or leave if the donating employee meets the appropriate criteria as listed in the Department of Public Instruction's Employee Benefits Manual:
  1. Only permanent full-time and permanent part-time employees are eligible to receive/donate leave.
  2. Donations of leave are made to a specific employee with an approved application for shared leave (no banks).
  3. The minimum amount to be donated is one half of a day or its equivalent number of hours.
  4. Donations of leave can be accepted only by employees with an approved application for shared leave as a result of serious medical condition of self or immediate family. IMMEDIATE FAMILY for the purpose of eligibility for application is defined as spouse, children (including step relationships), parents (including step relationships), brother, sister, grandparents, grandchildren, also included are the step, half and in-law relationships, and/or other dependents residing in the employee's household.
  5. Donated leave can be used by an eligible employee only after the employee has exhausted all available leave. The twenty (20) days of extended sick leave and personal leave are not to be included in the count of available leave to be exhausted.
  6. An employee at a public school may share leave (annual or sick) voluntarily with an immediate family member, with a coworker and with a coworker's immediate family member who is an employee of a public school, community college, or State agency. The term "immediate family member" means a spouse, parent, child, brother, sister, grandparent, or grandchild and also includes the step, half and in-law relationships. The term "coworker" means that the employee donating the leave is employed by the same agency, department, institution, university, local school administrative unit, or

community college as the employee whose immediate family member is receiving the leave.

7. A donor of sick leave to a non-family member recipient shall not donate more than five (5) days of sick leave per year to any one non-family member recipient. The combined total of sick leave donated to a recipient from nonfamily member donors shall not exceed 20 days per year.
  8. Donated sick leave shall not be used for retirement purposes and employees who donate sick leave receive notification by means of completing the form.
  9. For the purposes of Voluntary Shared Leave, all leave donated will be credited to the recipient's sick leave account.
  10. A donor may not reduce his sick or annual leave balance below one-half to be earned in a year. A donor may not donate annual leave in an amount in excess of the amount that could be earned in one year.
  11. Unused donated leave in excess of 40 hours at the expiration of the medical condition will be returned to the donors on a pro rata basis.
- C. Questions concerning voluntary shared leave should be directed to the Human Resource Department and/or the Payroll Department.
- D. Participation in shared leave is on a voluntary basis. **No employee should feel pressured or coerced to participate.** The donating employee may not receive compensation in any form for the donation of leave. Any employee found guilty of giving or receiving compensation may be subject to dismissal as outlined **in applicable state law**. Employees who donate sick leave should note the State retirement consequences of donating sick leave as detailed on the form.
- E. This policy shall be implemented by the Superintendent's Office in accordance with regulations issued by the N.C. Department of Public Instruction and in accordance with state law. Voluntary Shared Leave forms and other information can be found under the "Forms Quick Link" on the school system's website.

**Legal References:** G.S. 115C-12.2, -325, **N.C. Sess. Law (S.L.) 2013-360,s. 9.6,9.7**  
**G.S. 115.C-325.1 et seq., effective 7.1.2014**  
**Employee Benefits Manual**, N.C. Department of Public Instruction