

SOUTHWESTERN COMMUNITY COLLEGE	HUMAN RESOURCES/INFORMATION TECHNOLOGY <b>VOLUNTARY SHARED LEAVE</b>	Policy 4.02.08
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## I. PURPOSE

The Voluntary Shared Leave Program ("Program") allows the College's employees to voluntarily donate a portion of their vacation, bonus or sick leave to a fellow community college employee who has exhausted all his/her available leave and is being placed on leave-without-pay status due to a serious or prolonged medical condition of either the employee or that employee's immediate family member. The Program also allows College employees to donate a portion of their vacation, bonus or sick leave to an immediate family member in any State agency, public school or community college. A College employee may also donate vacation or bonus leave to a College coworker's immediate family member who is an employee in a state agency or public school.<sup>1</sup> An employee of a community college may donate up to five days of sick leave to a nonfamily member employee of another community college.

## II. DEFINITIONS

1. *Immediate family member* means a spouse, parent, child, sibling, grandparent, grandchild or household dependent. The term also includes the step, half and in-law relationship.
2. *Serious or prolonged medical condition* means a medical condition of an employee or his/her immediate family that will require his/her absence from duty for a period of at least twenty (20) consecutive workdays. If an employee has had previous random absences for the same condition that has caused excessive absences or if the employee has had a previous, but different serious or prolonged medical condition within the last twelve (12) months, the College may make an exception to the twenty (20) day period.

## III. PARTICIPATION IN THE PROGRAM

1. Participation in the Program is limited to employees.
2. The recipient (or his/her immediate family) must have a serious or prolonged medical condition; and
3. At time of request, the recipient employee may have not more than twenty (20) hours of combined leave remaining in his/her account. The employee shall exhaust all available leave before using donated leave.

A recipient employee who received benefits from the Disability Income Plan of North Carolina (DIPNC) is not eligible to participate in the Program. Voluntary shared leave, however, may be used during the required waiting period and following the waiting period provide DIPNC benefits have not begun.

An employee on worker's compensation who is drawing temporary total disability compensation may be eligible to participate in the voluntary shared leave program. Use of donated leave under the workers' compensation program shall be limited to use with the supplemental leave schedule as described in 25 NCAC 01E.0707.

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<sup>1</sup> Whether or not the leave is accepted by the receiving Stage agency, public school, or community college is dependent on that entity's voluntary shared leave policy.

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### III. PROGRAM ADMINISTRATION

1. Employees seeking to participate in the Program ("participants") must complete a written application through their immediate supervisor. The application must include: name, where employed in the College, description of serious or prolonged medical condition (or immediate family member's serious or prolonged medical condition), physician's statement, a signed release to allow the status to be known, and an estimate of the length of time needed to participate in the Program. The appropriate Vice President shall review the merits of the request and approve or disapprove the leave. If the College employee is seeking to provide leave to an immediate family member who is employed at a State agency, public school or community college, the employee shall note on the written application the name of the immediate family member, the State agency, public school or community college where the immediate family member is employed and the name and contact information for that entities' human resources department.
2. Participation in the Program is limited to 1,040 hours, either continuously or on a recurring basis, for the same medical condition. The President may grant employee continuation, month by month, for a maximum of 2,080 hours if leave without pay would have been granted.
3. The minimum amount of sick or vacation leave a donor employee may donate is four (4) hours. The maximum amount of leave allowed to be donated by one (1) donor employee should not exceed the donor employee's annual accrual rate. However, the amount donated shall not reduce the donor's vacation leave balance below one-half of the annual vacation leave accrual rate. Bonus leave may be donated without regard to this limitation.
4. An employee may not directly or indirectly intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce, any other employee for the purpose of interfering with any right which such employee may have with respect to donating, receiving, or using vacation or sick leave under the Program. Such action by an employee shall be grounds for disciplinary action up to and including dismissal on the basis of personal conduct. Individual leave records are confidential and only individual employees may reveal their donation or receipt of leave. The employee donating leave cannot receive remuneration for the leave donated.
5. Withdrawals from participant's leave account will be charged to the participant's account according to usual leave policies.
6. At the expiration of the serious or prolonged medical condition, as determined by a physician, any unused leave in the participant's donated leave account shall be treated as follows:
  1. The participant's combined vacation and sick leave account balances may not exceed a combined total of forty (40) \hours.
  2. Any additional unused donated leave beyond forty (40) hours will be prorated and returned to active donors.

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3. Each approved emergency medical condition shall stand alone and leave donated but not used in accordance with the above provisions shall be considered as having served its purpose, shall lose its identity, and the account closed.

Legal Citation: G.S. 115D-25.3

Adopted: July 2002

Revised: October 2012; July 23, 2013; July 22, 2014; April 24, 2018