

Policy Type: Human Resources
Policy Title: Shared Leave Policy
Policy Number: HR-27

Purpose:

To establish a policy for managing the Washington state Shared Leave Program.

Scope:

This policy applies to all employees who accrue leave.

Definitions:

For the purposes of this policy, the following applies:

Employee means any employee who is entitled to accrue sick leave or vacation leave and for whom Green River College has maintained leave records.

Employee's relative shall be limited to the employee's spouse, child, stepchild, grandchild, parent or grandparent.

Household members shall be limited to persons who reside in the same household and who have reciprocal duties to and provide financial support for one another. This term shall also include foster children and legal wards, but does not include persons sharing the same house when the living style is primarily that of a dormitory or commune.

Donee is the employee receiving the donation of the leave.

Donor is the employee making the donation of the leave.

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 service means the armed forces, the army national guard, and the air national guard of any state, territory, commonwealth, possession, or 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.

Severe or extraordinary condition is defined as serious or extreme and/or life threatening.

State agency means departments, offices, agencies, or institutions of state government, the legislature, institutions of higher education, school districts, and educational service districts.

Policy:

An employee may be eligible to receive shared leave if:

The employee suffers from, or has a relative or household member suffering from, an illness, injury, impairment, or physical or mental condition which is of an extraordinary or severe nature;

The employee has been called to service in the uniformed services and/or the employee's request otherwise meets the eligibility criteria specified in RCW 41.04.665;

A state of emergency has been declared anywhere within the United States by the federal or any state government and the employee has needed skills to assist in responding to the emergency or its aftermath and volunteers his or her services to either a governmental agency or to a nonprofit organization engaged in humanitarian relief in the devastated area, and the governmental agency or nonprofit organization accepts the employee's offer of volunteer services;

The employee is a victim of domestic violence, sexual assault, or stalking as defined in RCW 41.04.655.

Green River College will determine the amount of leave, if any, which an employee may receive; however, employees may not receive more than 261 days of shared leave during their working lifetime under this program.

When requesting shared leave because the employee or a relative or household member (as defined in this policy), suffers from, or has a relative or household member suffering from, an illness, injury, impairment, or physical or mental condition which is of an extraordinary or severe nature, the employee must use all other leave balances such as personal holiday, accrued sick leave, accrued vacation leave and compensatory time prior to receiving shared leave.

Employees called to military service must use all accrued vacation leave, personal holiday, compensatory time and any paid military leave allowed under RCW 38.40.060, prior to receiving shared leave.

Employees requesting shared leave for state of emergency service or due to domestic violence, sexual assault or stalking must use all compensatory time, personal holiday and accrued vacation leave prior to receiving shared leave.

For work-related illness or injury, the employee must diligently pursue and be found to be ineligible for benefits under Chapter 51.32 RCW to qualify for shared leave for medical purposes. Employees receiving time loss compensation or other types of disability payments are not eligible for shared leave.

Shared leave may not be used for "bonding" with a newborn or newly adopted child or a new foster child, or for bereavement leave. An employee may not donate any type of leave that they would lose due to termination, whether by voluntary resignation, retirement, layoff or as a result of disciplinary action, once written notice of termination is given to the college.

Procedure:

If the eligible employee has depleted or will shortly deplete his/her annual and sick leave reserves, the employee may submit a request for shared leave to the Office of Human Resources. The employee will be required to certify that their illness meets the standard of “severe” or “extraordinary” by submitting a medical certificate from a licensed physician or health care practitioner. The certification should also include the expected date of return to work. In the case of shared leave for a family member or household member, the medical certificate must also indicate the employee's required absence.

For those called to military duty, Green River College will require a copy of the military orders verifying the employee's required absence.

For those requesting shared leave due to being a victim of domestic violence, sexual assault, or stalking as defined in RCW 41.04.655, Green River College will require the appropriate documentation such as a police report, court order, or documentation from an attorney or victims' advocate.

For employees requesting shared leave for state of emergency service, the employee must have the necessary skills for the humanitarian relief organized and provide documentation of acceptance by the governmental or nonprofit organization engaged in that effort.

Notification of Need for Shared Leave:

The Office of Human Resources will publicize the need via campus e-mail using a Shared Leave Control number. The requestor's name will remain confidential and will not be publicized without explicit permission of the employee requesting the leave. The reason for the shared leave (event or crisis) will not be published under any circumstances. Eligible employees wishing to share leave must submit a Shared Leave Donation form to the Payroll Office.

Sick Leave Donation:

Staff who accrue sick leave may donate sick leave to any employee approved for shared leave. The donated leave is deducted from the donor's compensable sick leave balance. An employee may not donate an amount of leave that would drop their accumulated compensable sick leave balance below twenty-two (22) days. An employee may not donate sick leave that they would lose due to termination, once written notice of termination has been given to the College.

Vacation Leave Donation:

Staff who accrues annual leave may donate annual leave to any employee approved for shared leave. The donated leave is deducted from the donor's compensable annual leave balance. The employee donating leave may not donate an amount of hours that would drop their annual leave balance below ten (10) days (80 hours), nor may employees donate excess annual leave they would not be able to take due to an approaching anniversary date.

Personal Holiday:

Staff who accrue personal holiday may donate their leave to any employee approved for shared leave. For purposes of shared leave an employee may donate all or part of a personal holiday. The donated leave is deducted from the donor's personal holiday leave balance.

Personal Leave Day:

Personal leave days may not be donated.

Shared Leave Between Agencies/Institutions:

With the approval of the appropriate administrators of both state agencies/institutions, shared leave may be transferred from employees of one state agency/institution to an employee of another state agency/institution.

Computation of Share Leave:

Computation of shared leave shall be performed in accordance with OFM 25.40.10. It shall be the donor's dollar value of the leave that transfers and purchases shared leave for the donee at the donee's salary rate.

Administration of Leave:

The shared leave procedure will be administered in accordance with Office of Fiscal Management regulations. In an effort to improve the administrative workload process of the shared leave program, the procedure for processing shared leave shall be a "first in, first use" basis, i.e., each donation form will be considered a "batch" and will be processed and used up in full based on the leave needs of the employee requesting the leave per payroll period. Once that leave is exhausted, that batch will be closed and leave from a second donor will be processed.

Specific Authority: WAC 357-31-380-455; RCW 41.04.650 – 670; OFM Shared Leave Notice 25.40.10; current negotiated labor agreements.

History of Policy or Procedure

Draft: September 4, 2008

Adopted: June 17, 2009

Revised:

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