ABAC 8.2.7.1 Shared Leave

It is the policy of Abraham Baldwin Agricultural College (ABAC) that employees may voluntarily donate sick or annual leave to other employees who have exhausted all of their sick and annual leave and, because of a medical emergency, are in need of additional sick leave. This program applies to all employees of the College who earn or accrue annual or sick leave.

Definitions

Employee means any employee of the College who earns or accrues annual or sick leave as a benefit of his/her employment.

Leave donor means an employee making a voluntary written request for transfer of annual or sick leave to the sick leave account of a leave recipient.

Leave recipient means a current employee who has completed the employment probationary period and for whom the ABAC Shared Leave Certification Committee has approved an application to receive leave from the annual or sick leave accounts of one or more leave donors.

Life-threatening or emergency medical condition means a health condition involving a serious, extreme, or life-threatening illness, injury, impairment, or condition that is likely to require an employee's absence from duty for a period of time longer than the amount of sick and annual leave available to the employee, and the health condition is such that it is not medically appropriate for the employee to delay the absence in order to accrue additional sick or annual leave prior to the absence. Some examples of such conditions include: advanced or rapidly growing cancers, acute life-threatening illnesses, chronic life-threatening conditions in need of immediate care, life-threatening infections, severe injuries arising from automobile or other serious accidents, and severe or life-threatening conditions involving failure of bodily organs or systems (e.g., heart attack). The absence may be continuous, as in hospitalization following surgery or an accident; or intermittent, as in periodic absences for chemotherapy or other procedures.

Any medical information forwarded to the Shared Leave Committee will remain confidential.

For application to become a leave recipient, an employee may make written application to the Shared Leave Certification Committee, via the Office of Human Resources. The application will be made by using the Shared Leave Request Form.

If an employee is not capable of making application on his or her own behalf, a personal representative, having documented power of attorney for the potential leave recipient, may make written application on behalf of the employee.

In order for a request to receive donated leave to be approved, the employee must:
• Have completed the initial probationary period and
• Provide certification from a licensed physician that the employee has a life-threatening or emergency medical condition and
• Have exhausted all sick and annual leave (or provide credible medical evidence that he or she will have exhausted all sick and annual leave before the medical condition is resolved).

A potential leave recipient may request up to 160 hours of leave transfer at one time, and may make up to three applications for leave transfer within a calendar year, for a maximum total of 480 hours requested per calendar year.

Each application must include a completed Shared Leave Request Form and Physician’s Certification of Emergency or Life Threatening Medical Condition Form.

Each application will be reviewed by a Shared Leave Certification Committee consisting of one staff member from Human Resources, one faculty member, and one staff member from a work unit other than Human Resources. The Human Resources Director will appoint these committee members for a renewable term of one year. The committee member from Human Resources or his or her designee will carry out the administrative functions of the committee.

If any committee member(s) is unavailable to perform the functions of the committee due to illness, vacation, or other reason, or is unable to provide a timely decision for any given applicant, the Director of Human Resources or his/her designee(s) will serve as substitute ad hoc member of the committee.

The committee’s decision to approve or disapprove a request for shared leave will be by simple majority vote. If the application is approved, the Shared Leave Certification Committee will notify the leave recipient (or the personal representative who made application on behalf of the leave recipient), within 10 working days after the date the application was received, that:

1. The application has been approved; and
2. Other employees may request the transfer of annual or sick leave to the account of the leave recipient.

The leave recipient or his or her representative may then advise potential donors that they may use the Shared Leave Donation Form to request transfer of some of their leave to the leave recipient’s account. When soliciting leave from other employees, potential leave recipients must be careful to refrain from any activity that might be interpreted as pressuring other employees to donate leave. Potential leave recipients and their representatives must refrain from using e-mail to solicit leave by revealing a medical condition, as e-mailing of medical information may violate HIPAA privacy guidelines.
If the application is not approved, the committee will notify the applicant (or the personal representative who made application on behalf of the potential leave recipient), within 10 working days after the date the application was received, that:

The application has not been approved and the reasons for its disapproval.

Requests not approved may be appealed in writing to the Director of Human Resources.

**Donation of Leave**

An employee may submit a [Shared Leave Donation Form](#) to the Office of Human Resources, requesting that a specified number of hours of leave be transferred from his/her annual or sick leave account to the sick leave account of a specified leave recipient. Requests for leave transfers must be in 8-hour increments. A leave donor must retain a combined total of 120 hours of leave in his/her own annual and sick leave accounts (prorated for part-time employees), unless the donation is to the leave account of his/her own spouse, child, or parent. If you wish to donate leave prior to separating from ABAC (retirement, changing jobs), you may not donate more hours than you could use during the remainder of your employment. For example, if you have 10 working days until retirement, you may donate only 80 leave hours (8 hours x 10 days). The 120-hour rule still applies (see above).

ABAC will not transfer annual or sick leave to a leave donor's immediate or upper-level supervisor(s) or subordinates.

Leave transferred under this section may be substituted retroactively for a period of leave without pay.

Leave Donation Forms will be accepted until the total amount donated is equal to the amount approved by the Shared Leave Certification Committee. Subsequent Leave Donation Forms will be returned to prospective donors.

If the leave recipient does not use all the donated leave, unused leave will be returned to donors based on the date and time the Leave Donation Form was processed by Payroll.