**Policy Statement**

It is the policy of Georgia College (GC) that employees may, through a pool, voluntarily donate sick leave to other employees who have exhausted all of their sick leave and who are, because of a personal or an immediate family member’s life threatening or medical emergency, in need of additional leave.

## Definitions

**Employee**: A benefits-eligible employee of Georgia College who earns or accrues sick leave as a benefit of their employment by Georgia College.

**Immediate Family Member:** Mother, father, brother, sister, spouse, son, daughter, and grandparents of the employee. Legal guardianship qualifies as immediate family.

**Leave Donor:** An eligible employee making a voluntary donation of sick leave to the shared leave pool.

**Leave Recipient:** An eligible employee who has completed the employment probationary period and for whom the Georgia College Shared Leave Certification Committee has approved an application to receive leave from the sick leave accounts of one or more leave donors.

**Life–threatening or Emergency Medical Condition:** 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 leave available to the employee, and the health condition is such that is not medically appropriate for the employee to delay the absence in order to accrue additional sick leave prior to the absence. Some examples of 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 the absence may be intermittent, as in periodic absences for chemotherapy or other procedures.

**Leave Pool:** Accumulated sick leave donated by employees to be used in accordance with this program. A minimum donation of eight (8) hours leave per calendar year is required to become a member of the leave pool. A member may contribute leave but must maintain a minimum of forty (40) hours of personal sick leave. Should the Shared Leave pool reserve drop to less than 120 hours, the pool will be considered depleted. An appeal will be made to the GC community at large to donate hours, instead of only participants. Leave requests will be honored in the order in which they were placed when the pool is replenished. The automatic charge to replenish the pool may occur only one time per calendar year. Should the pool be depleted a second time in a given calendar year, no further requests for Shared Leave will be accepted.

**Keywords:**

Shared Leave

Sick Leave

Medical Emergency

**Reason for the Policy:**

The purpose of this document is to set forth policies, procedures, and related information for a voluntary leave transfer program under which Georgia College benefits-eligible employees are permitted to contribute unused sick leave to a pool for use by another Georgia College benefits-eligible employee who is experiencing a life-threatening, emergency medical condition, or catastrophic illness or injury to themselves or an immediate family member, and who has exhausted all accumulated paid leave.

This policy is consistent with the Board of Regent’s policy that institutions in the University System of Georgia are authorized to establish shared leave policies.

**Applicability of the Policy:**

This program applies to all benefits-eligible employees of Georgia College who may accrue sick leave.

**Related Policies:**

University System of Georgia Shared Sick Leave Program: <http://www.usg.edu/hr/manual/shared_sick_leave_program>

**Procedures:**

## Confidentiality

Any medical information forwarded to the Shared Leave Certification Committee will remain confidential and private, and under no condition will be shared outside of the Office of Human Resources, except where legally required.

## Membership Requirements

Any benefit-eligible Georgia College employee who has completed the probationary period may become a member of the Shared Leave Program. The member must meet the following criteria:

1. Must contribute a minimum of eight (8) hours leave per calendar year
2. Must maintain a minimum of forty (40) hours of sick leave
3. An employee must hold a “benefits eligible” position and accrue paid sick leave

*No employee shall be denied membership in the shared leave pool if the membership criteria are met.*

**Enrollment**

1. **Initial Enrollment:**Only at time of initial enrollment (during USG Benefits Open Enrollment Period) members must have a minimum of 48 hours sick leave, of which 8 hours will be deducted and added to the leave pool).
2. **Special Enrollment**: When the program is determined to be depleted (120 hours remaining balance) a “special enrollment period” will be conducted with an appeal to the Georgia College community at large to donate hours.
* Current participants can donate additional hours during the period, and
* New participants can exercise an “initial enrollment” whereby they must comply with provision “a” above.
1. **Re-enrollment:** In order for an employee to re-enroll in the Shared Leave program, they must have a current sick leave balance of at least 40 hours.

## Application to become a leave recipient

An employee may make written application to the Shared Leave Certification Committee, care of the Office of Human Resources to become a leave recipient, using the Shared Leave Request form (link to form here). 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 his or her behalf.

For a request to be approved, the employee must:

* Have completed the initial 6-month probationary period; **and**
* Have made the required sick .leave donation to the leave bank; **and**
* Provide certification from a licensed physician of a life-threatening or emergency medical condition for themselves or an immediate family member; **and**
* Have exhausted all sick leave or provide credible medical evidence that he or she will have exhausted all sick 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 two additional requests for leave transfer within a calendar year, for a maximum total of 480 hours requested per year within a five (5) year period.
Each application must include a completed Shared Leave Request form and Physician’s Certification of Emergency or Life-Threatening Medical Condition.

Approval of application to become a leave recipient

Each application shall be reviewed by a Shared Leave Certification Committee consisting of the Human Resources Administration team, including the Associate Director, HR Administration, Associate Director of HR Programs & Compliance, and the relevant HR Generalist.

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 & Chief Human Resources Officer shall appoint a substitute *ad hoc* member(s) of the committee.

The determining factors of the committee’s decision will be the information provided by the treating physician of the shared leave applicant on the Physician’s Certification of Emergency or Life-Threatening Medical Condition form.

The committee’s decision to approve or disapprove a request for shared leave shall be by a simple majority vote and may be the result of communication by email, telephone, or other means in lieu of meeting together in one location.

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 (or the date that the University makes changes to these policies or procedures, if that date is later), that:

* the request has been approved; and
* the employee may begin drawing leave from the pool, and
* if the employee has entered the status of leave without pay, the approved Shared Leave may be substituted retroactively to cover the period of leave without pay.

Should an employee be receiving approved leave credits at the time of an enrollment period, and the employee has not used all approved credits, those unused credits shall continue to be active until exhausted even if employee does not maintain active enrollment status in the pool.

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 (or the date that the University makes changes to these policies or procedures, if that date is later), that:

1. The application has not been approved; and
2. The reasons for its disapproval.

Requests not approved may be appealed in writing to the Director & Chief Human Resources Officer within 15 working days from the date the request was not approved.

## Donation of Leave

Employees will be given the opportunity to donate a specified number of hours of sick leave (in eight (8) hour increments) from their sick leave accounts to the Shared Leave pool during the

1. **Annual Open Enrollment:** the annual Open Enrollment period for other benefits
2. **Special Enrollment:** When the program is determined to be depleted (120 hours remaining balance) a “special enrollment period” will be conducted with an appeal to the Georgia College community at large to donate hours.
3. **Donation in Anticipation of Retirement:** When an employee (whether or not they are currently participating in the Shared Leave program) is in the process of retiring he/she may
4. ONLY donate sick leave to the Shared Leave Pool prior to their last 30 days of official employment;
5. Within 30 days of retirement, no leave may be donated.

A participating employee shall not be allowed to donate to the pool any unused or unpaid sick leave from the employee’s personal account at the time of separation from the University System of Georgia, except for those anticipating retirement as specified in Procedure 5 c. above.

*For more information, see “Enrollment Section” above.*

The Shared Leave will be transferred to the Shared Leave pool at the same time other benefit elections are effective (normally January 1). An employee who donates leave must retain a combined total of forty (40) hours of leave in his/her own sick leave accounts (pro-rated for part-time employees).

## Continuation of Sick Leave Accruals

The participating employee will continue to accrue sick leave during their absence as long as they are paid at least one half of a monthly salary.

## Termination of Membership/Exclusions

An employee may withdraw from the pool at any time by sending a written request for withdrawal to the Human Resources Officer. Any leave contributed to the pool prior to withdrawal shall be forfeited.

When a participating employee withdraws the maximum number of hours for which he/she is eligible, his/her membership in the pool will automatically terminate. The maximum withdrawal amount during a calendar year is 480 hours (12 weeks). To re-enroll, the employee will be subject to the initial enrollment requirements for membership. When a sick leave pool member is eligible for workers’ compensation, unemployment, disability or retirement benefits, etc., he/she shall not be granted sick leave pool credits.

**Change in Circumstances**During the course of receiving Shared Leave Credits, the circumstances regarding the need for leave may change. For example, the leave recipient may discover that more leave than planned is necessary for recovery from their own or an immediate family member’s life-threatening, emergency medical condition, or catastrophic illness or injury. Conversely, recovery may be faster than anticipated and less leave is required. The leave recipient may wish to return to work sooner than planned. In these cases, the leave recipient must provide reasonable notice of these changed circumstances to the Office of Human Resources. “Reasonable notice” usually means within two business days.

**Forms:**

Enrollment Form

Donation Form (for non-enrolled members)

Application Form

**Contacts:**

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**Approval Date:**

1 Jan 2013: Recommended by RPIPC

15 Feb 2013: