



**Leave Policy - Sick Leave Transfer**

Responsible Official: **Chief Operating Officer**

Responsible Office: **Office of Human Resources**

**Policy Purpose**

This policy specifies the parameters for ETSU employees, who are participants of the ETSU Sick Leave Banks, to donate sick leave to another participant of the ETSU Sick Leave Banks.

**Policy Statement**

ETSU Sick Leave Banks participants may elect to voluntarily donate sick leave hours to another participant of one of the ETSU Sick Leave Banks subject to the requirements of this policy. The decision to donate sick leave to another employee must be a voluntary choice. Any person attempting to unduly influence another participant to donate leave shall be subject to disciplinary action, and any prior agreement made to donate leave under these conditions shall be voided. The Office of Human Resources is responsible for managing the transfer of sick leave between ETSU Sick Leave Banks.

I. Donor Participant Requirements.

A donor does not have to participate in the same sick leave bank as the recipient of the gifted leave. The donor must have a current minimum balance of 20 sick leave days and must be willing to donate 5 days of those hours to the recipient. The maximum number of days that a donor may donate while employed at ETSU is 90 days, prorated according to the recipient's percentage of employment. A donor may donate more than one time to the same recipient. The donor may not, however, donate more than one-half of the donor's leave balance available at the time of the transfer. If the donor gives an amount over what the recipient needs at the initial donation, the remainder can be used by the recipient at a later date. If the donor voluntarily or involuntarily separates from ETSU, all responsibility to donate the intended leave is voided.

II. Recipient Participant Requirements.

The recipient of the sick leave must be a member of one of the ETSU Sick Leave Banks. The recipient may not receive more than 90 days of sick leave donations during their employment at ETSU. The recipient must:

1. Have used all accumulated sick leave, annual leave, compensatory time, and any eligible grants from the applicable sick leave bank;
2. Have a documented need for continuing support that renders the recipient unable to work;
3. Not receive any other form of compensation including Social Security disability benefits, long term disability benefits, worker's compensation, or compensation through the State Retirement Plan, grants from a Sick Leave Bank, and provide current certification from a health care provider.

During the period that the recipient is using donated leave, the recipient is eligible to receive holiday pay and to accrue leave according to ETSU policies. Payment of the donated leave will be based on the recipient's established rate of pay. Donated sick leave shall not be applied to the recipient's account retroactively beyond one month.

Authority: Focus Act § 49-8-203, et seq.

Previous Policy: PPP-47 Transfer of Sick Leave Between Employees

## Defined Terms

*A defined term has a special meaning within the context of this policy.*

**ETSU Sick Leave Banks**

The Faculty Sick Leave Bank and the Non-Faculty Sick Leave Bank

## Policy History

### Effective Date

- a. Initial:
- b. Revised:

## Procedure

## Procedure History

### Effective Date

- a. Initial:
- b. Revised:

## Related Form(s)

## Scope and Applicability

Primary: Human Resources