

**BOARD AGENDA ITEM**

**July 13, 2021**

***SUBJECT:***

Revision of Administrative Rule GCCAAB-R Shared Leave

***BACKGROUND INFORMATION:***

Aiken County Public School District offers the opportunity for existing employees to donate unused leave to the sick leave bank. The sick leave bank provides leave for employees who experience catastrophic illnesses or accidents requiring absences that exceed their accrued leave. Administrative Rule GCCAAB-R provides guidance to administration for the distribution of leave in the sick leave bank.

***ADMINISTRATIVE CONSIDERATION:***

The proposed changes update the administrative rule to improve employee privacy, to include covid-related illness previously added to Board policy, and to offer exiting employees the ability to donate unused leave to the sick leave bank.

***RECOMMENDATION:***

Approve Administrative Rule GCCAAB-R Shared Leave

***ATTACHMENTS:***

Administrative Rule GCCAAB-R Shared Leave

***PREPARED BY:***

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## SHARED LEAVE

Code **GCCAAB-R\*** Issued **5/16/21**

### Background

The shared leave program is a district-sponsored and facilitated program which is administered independently of the sick leave bank. It provides an opportunity or an additional option for donated sick leave to eligible employees seeking financial assistance in special circumstances as anticipated by the policy.

### Governance

The ~~director-chief officer~~ of human resources **and administration** or his/her designee will review and investigate all applications for assistance as well as intended donations of leave for compliance with this administrative rule.

~~A specific recommendation will then be made to the superintendent or one of his designated alternates. The superintendent or his/her designee will approve or deny the recommendation from the human resources department. The decision at that level is final.~~

The investigation by human resources will include eligibility of the applicant as defined in this rule and will also determine the available number of proposed donated days by one or more committed donors who are eligible for making donations and will notify those donors whether or not their donations are accepted.

The chief officer of human resources **and administration** or his/her designee will approve or deny the request based on the investigation. The decision at that level is final.

All information concerning a request will be considered confidential.

### Eligibility

Employees must work a minimum of 30 hours per week and be eligible for sick leave benefits. Membership in the district's sick leave bank is not a requirement, but sick leave bank members may be eligible for this shared leave option in certain circumstances. Eligibility requirements are as follows:

- In order to be eligible to receive donated leave, the employee, at the time of receipt, must have exhausted **all** paid forms of leave.
- An employee must be on an approved leave due to a serious medical condition or temporary disability of the employee or his/her immediate family, or due to extended employee or family covid-related illness, and must have exhausted, or expects to exhaust, **all** paid leave, where such condition will require the prolonged absence of the employee from duty and will result in a substantial loss of income to the employee because the employee will have exhausted all paid leave available, apart from the leave-sharing plan.
- Employees who are absent due to a workers' compensation injury are not eligible for shared leave.
- The employee must present information requested by the human resources department, which may include, but not be limited to, a statement from a licensed physician regarding medical conditions, injuries, and anticipated duration of condition or disability for the purpose of this policy.

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- Normally elective surgeries do not qualify for shared leave although certain procedures related to qualifying medical applications such as reconstructive surgery after a mastectomy, surgical procedure necessary to fit a prosthesis after an amputation, or similar circumstances may be considered.
- An employee must have demonstrated reasonable prior use of sick leave and/or annual leave, even though such leave is exhausted or will be exhausted by the anticipated time of need per the request.
- Rehired retirees are not eligible to apply for or donate to shared leave.
- Leave received under this program will be at the receiving employee's normal rate of compensation and will include all deductions for state and federal withholding taxes, FICA, FUTA, etc.
- ~~Applications will be signed by both the intended recipient and any committed donor or donors.~~

### Donation of Leave

All donations must come from eligible district personnel.

An employee who earns sick leave and has accumulated in excess of one year's annual sick leave earnings is eligible to contribute to an employee who has been approved by the program reviewer to receive leave.

A donating employee may donate annual leave or sick leave up to an amount not in excess of the amount that could be earned in one year by the donating employee or 20 percent of the donor's accumulation, whichever is larger.

A donating employee must submit a donation of leave form to the ~~director~~ chief officer of human resources or ~~the director's~~ his/her designee for determination of compliance with this shared leave process.

All donations are conditional until used by the recipient. No donation once used, can be reimbursed to the donor.

All donated leave must be given to an employee applicant as approved by the reviewer in human resources, as needed.

Eligible employees may donate sick leave days or vacation days.

Exiting employees may donate remaining unused sick leave to the shared leave bank.

All donated leave must be in whole day units.

Employees may not receive compensation in any form from anyone for the donation of leave.

Failure to comply with this rule may result in appropriate disciplinary action.

### Withdrawal of Requested and Approved Shared Leave

Requests for withdrawal of leave must not be commenced until the exhaustion of other leave.

Withdrawal requests must comply with the intended circumstances of this Rule.

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All approved shared leave and donations will be reported to the chief financial officer to oversee and assure the transfer of the leave.

Withdrawals approved for leave may not exceed the number of days potentially arranged for the request.

Issued 5/24/16; Revised 07/13/21

