

	Florida Gulf Coast University Policy Manual	Policy: 3.001 <i>FKA: 3.11</i> <i>Approved: 04/13/04</i>
	Personal Leave Donations	Responsible Executive: <i>Vice President,</i> <i>Administrative Services</i> Responsible Office: <i>Human Resources</i>

POLICY STATEMENT

Employees in established positions may donate their personal accrued leave to another employee who is experiencing a serious medical condition. Donated hours shall be credited as sick leave directly to the ill employee’s personal sick leave balance.

REASON FOR POLICY

This policy provides approval for an employee, or a person acting on their behalf, to request donations of leave hours when the employee has been hospitalized or undergone extended medical care as a result of a serious illness or injury and the employee does not have sufficient personal leave hours to remain in pay status.

WHO SHOULD READ THIS POLICY

Faculty, A&P and USPS employees, including deans and department heads, should be familiar with the provisions of this policy.

PROCEDURES

General Eligibility:

- Medical leave is for employee personal medical conditions.
- Applies to employees in Faculty, A&P and USPS positions.
- Accrued leave to be donated can be annual, sick, or compensatory leave, or a combination of these three.
- Prior to providing donations, an employee shall review his/her own financial obligations to ensure that the donation will not adversely affect the employee’s need to utilize their leave accruals.

**PROCEDURES
CONTINUED**

Recipient Criteria:

- A recent medical certification completed by the attending physician must be on file with the Human Resources Department.
- The medical leave must have been approved pursuant to the Family and Medical Leave Act (FMLA) requirements.
- An employee drawing disability payments from a long-term disability plan or from Social Security is not eligible to receive donated leave.
- If FMLA requirements have been exhausted or Recipient is otherwise not eligible for FMLA, the Dean/Department Head must approve that the Recipient may receive donated leave. However, to be eligible to receive leave donations, the Recipient must continue to have a “serious health condition” as defined by the FMLA.
- The Recipient must have exhausted all other personal leave accruals (for USPS employees this includes compensatory leave and the Personal Holiday).
- The Recipient must have exhausted all eligible hours from the Sick Leave Pool, if a member, prior to accepting donations from other employees.
- Donated hours may be used intermittently where such use is required by the FMLA.
- Unused donated hours will be credited to the University Sick Leave Pool.

Donor Criteria:

- Employees in Faculty, A&P and USPS positions may donate accrued leave in increments of 8 hours.
- Donor shall retain a minimum combined personal leave balance of 80 hours following the donation of leave.
- Donation increments and minimum leave balance requirements are pro-rated for part-time donors.
- A terminating employee, who has completed at least one year of employment, may donate a maximum of 80 hours provided the donation is made prior to the effective date of termination and calculation of cash-out, if any, of accrued leave.

**PROCEDURES
CONTINUED**

Requesting a Donation:

- The Recipient or a person acting on behalf of a Recipient may request donations.
- Requests shall be informal and without pressure.
- Unacceptable solicitations include:
 - Repeated contacts
 - Exerting pressure to donate, particularly with respect to subordinate employees
 - Playing on people's emotions
 - Leaving a feeling of guilt or lack of compassion for not donating
- Use of email to solicit a donation is permissible
- Communications shall not contain the specifics regarding the medical condition of the Recipient.

Process for Donations:

- Potential Recipient or person acting on their behalf confirms with employee's Dean/Department Head that leave donation will be allowed.
- Dean/Department Head confirms the employee meets Recipient Criteria and valid medical certification is on file in Human Resources.
- In the event that the Recipient at the time of the requested donation has been on any form of medical leave for a period of six months or more during the previous twelve months, the approval of the President or respective Vice President also is required for receipt of leave donations.
- In the event the Recipient Criteria is not met or the Dean/Department Head does not approve the receipt of leave donations and all FMLA entitlements have been exhausted, the process stops.
- If Recipient is eligible, Requestor or person acting on their behalf may contact Donors.
- Donor completes a "Leave Donation Program" form and submits to Payroll Office.
- Payroll Office adjusts Donor and Recipient leave records.
- Payroll Office notifies Sick Leave Pool Administrator when unused donated hours need to be credited to the Sick Leave Pool.

DEFINITION OF TERMS

Recipient – An eligible Faculty, A&P or USPS employee who is experiencing a medical condition for which they do not have accrued leave hours to maintain their in-pay status.

Donor - An eligible Faculty, A&P or USPS employee who meets the criteria to donate personal accrued leave to a Recipient.

FMLA – The Family and Medical Leave Act of 1993 and its implementing regulations in 29 CFR Part 825, as currently existing or hereafter amended.

HISTORY

New

APPENDICES

“Personal Leave Donation Program” form.

APPROVED:

s/William Merwin
President

April 13, 2004
Date

APPROVED