P R O C E D U R E

Section: **Human Resources**

Subject: **Voluntary Shared Leave**

Approved By: **DENR Secretary**

Recipient's Qualifications to Participate

1. Recipient and donor must be in permanent, probationary or trainee appointment status**.**

2. An employee may apply or be nominated by a fellow employee to participate in the program at such time as medical evidence is provided to support the need for leave beyond the employee's available accumulated sick and annual leave. Since use of this policy further presumes prudent and justifiable past use of earned leave benefits, past abuses of leave may result in disqualification.

Application for participation must include name, social security number, classification, parent agency, and a physician's statement, which describes the nature of the medical condition and estimated length of time needed to participate in the program.

Prior to making the recipient employee's request public for purposes of receiving shared leave, the employee must sign the completed application.

3. The VSL Coordinator will receive applications. The Coordinator will review the merits of the circumstances and either approve or disapprove the request.

4. An approved employee may use volunteered leave when they have exhausted all of their available annual and sick leave. An employee may apply and be approved for the use of shared leave in anticipation of exhausting all of his/her annual and sick leave.

5. An employee who is receiving benefits from the Disability Income Plan of North Carolina is not eligible to participate in the shared leave program.

However, shared leave may be used during the 60 day waiting period. An employee may choose to use shared leave instead of going on the Disability Income Plan.

6. Participation in this program is limited to 1,040 hours. The number of hours of leave an employee can receive is equal to the projected recovery or treatment period, less the employee's combined vacation and sick leave balance as of the beginning of the recovery or treatment period. Exception: the VSL Coordinator upon request may grant the employee continuation in the program, month by month, for a maximum of 2,080 hours if he/she qualifies for leave without pay.

7. An employee on Worker's Compensation who is drawing temporary total disability compensation may be eligible to participate in this program. Use of donated leave may be used with the supplemental leave schedule as published by the Office of State Personnel.

8. Employees who apply to receive voluntary shared leave for childbearing will be eligible to be considered for approval to receive VSL for the disability period associated with delivery and recovery. Normal approval limits associated with childbirth will be 6 weeks for regular delivery and a maximum of 8 weeks for caesarian section.

Donor Participation Requirements

1. A non-family member may donate only vacation leave to another employee within the Department of Environment and Natural Resources.

2. A family member who is a state employee may contribute vacation and/or sick leave to another family member state employee in any department, university or in the public school system, provided the recipient employee has been approved for leave transfer under this program.

3. The minimum amount of either sick or vacation leave to be donated is 4 hours.

4. An employee family member donating sick leave to a qualified family member under this program may donate up to a maximum of 1040 hours but may not reduce the donor's sick leave account below 40 hours.

5. The maximum amount of vacation leave to be donated by one individual is to be no more than the amount of the individual's annual accrual rate. However, the amount

donated is not to reduce the donor's vacation leave balance below one-half of the annual vacation leave accrual rate.

Years	Hours Granted/Year	May Not Reduce Below
Less than 2	94	47
2 but less than 5	110	55
5 but less than 10	134	67
10 but less than 15	158	79
15 but less than 20	182	91
20 or more	206	103

Accounting and Leave Records

1. Upon approval of the VSL Coordinator, leave will be transferred from the donor's timesheet to the recipient's timesheet.

2. Leave transferred under this program will be available to use on a current basis or may be retroactive up to 30 calendar days to substitute for leave without pay. This leave may also be used to pay back vacation leave or sick leave advanced to the recipient.

When the medical condition no longer exists, any unused leave in the recipients account shall be treated as follows:

a. Recipient's sick leave account balance shall not exceed a total of 40 hours (prorated for part-time employees).

b. Any additional unused leave beyond 40 hours will be returned to the donor(s) on a pro rata basis and credited to the leave account from which it was donated. Fractions of one hour shall not be returned to an individual donor. If the leave cannot be returned to the original donor(s), it shall be considered null and void.

c. Each approved medical condition shall stand alone and unused donated leave, not identified in b. or c. above, shall be considered as having served its purpose, shall lose its identity, and shall be deleted and the account closed.

d. If a recipient separates due to resignation, death, or retirement from state government, participation in the program ends. Donated leave shall be returned to donor(s) on a pro rata basis.

No employee shall directly or indirectly intimidate, threaten, coerce or attempt to intimidate, threaten, or coerce any other employee for the purpose of interfering with any right which such employee may have with respect to donating, receiving or using leave

under this program. Such action by an employee shall be grounds for disciplinary action up to and including dismissal on the basis of personal conduct. Individual leave records are confidential and only individual employees may reveal their donation or receipt of leave. The employee donating cannot be compensated or receive gifts or rewards for the leave donated.

REFERENCE: State Personnel Manual (Voluntary Shared Leave Policy)

RESOURCE: **DENR Human Resources Division**
512 North Salisbury Street
Room 1313
Raleigh, NC

Phone: (919) 715-4500

Mailing Address: 1607 Mail Service Center
Raleigh, NC 27699-1607