

Shared Leave Program Guide

Effective Date: October 3, 2005

1. **Authority.**
RCW 41.01

2. **Definitions.**

Employee means any employee of the state, including employees of school districts and educational service districts, who are entitled to accrue sick leave or annual leave and for whom accurate leave records are maintained.

Employee's relative is normally limited to the employee's spouse, child, stepchild, grandchild, grandparent, or parent.

Household members are persons who reside in the same home who have reciprocal duties to and do provide financial support for one another. This includes foster children and legal wards even if they do not live in the household. This does not include persons sharing the same general house when the living style is primarily that of a dormitory or commune.

Severe or Extraordinary means the condition is serious, extreme and/or life threatening.

Service in the uniformed services means the performance of duty on a voluntary or involuntary basis in a uniformed service under competent authority and includes active duty, active duty for training, initial active duty for training, inactive duty training, full-time national guard duty including state-ordered active duty, and a period for which a person is absent from a position of employment for the purpose of an examination to determine the fitness of the person to perform any such duty.

Uniformed services means the armed forces, the army national guard, the air national guard of any state, territory, commonwealth, possession, or district when engaged in active duty for training, inactive duty training, full-time national guard duty, or state active duty, the commissioned corps of the public health service, the coast guard and any other category of persons designated by the President of the United States in time of war or national emergency.

This document is available in alternate formats by contacting Human Resources at 360-650-3771 or 360-650-7696 TTY; 405 32nd Street, Building B, Third floor.

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3. Employees Shall Meet Requirements For Shared Leave.

The employee is eligible for shared leave if

- The employee suffers from, or has a relative or household member suffering from, an illness, injury, impairment, or physical or mental condition which is of an extraordinary or severe nature;
- The employee has been called to service in the uniformed services;
- The illness, injury, impairment, condition, or call to service has caused, or is likely to cause the employee to go on leave without pay status or to terminate employment; and
- Has diligently pursued and been found to be ineligible for worker's compensation benefits, if applicable.

4. Employee's Absence And Use Of Shared Leave Must Be Justified.

The employee's actions of taking shared leave are justified if

- The employee has depleted or will shortly deplete his or her annual leave and sick leave reserves; or
- The employee has depleted his/her annual leave and paid military leave allowed under RCW 38.40.060.

The University reserves the right to restrict the use of available shared leave donations if it is determined that the employee no longer meets eligibility criteria.

5. Employee Requesting Leave Will Provide Documentation.

The employee will submit prior to leave, if practicable, a medical certification from a licensed physician or health care practitioner verifying the employee's required absence, the description of the medical problem, and the expected date of return-to-work status. The employee will submit a copy of the military orders verifying the employee's required absence.

The University reserves the right to request updated documentation at the employee's expense and second opinions at the University's expense.

6. Other Methods May Be Considered.

The institution may consider other methods of meeting the employee's needs, such as modified duty, modified hours, flex-time, or special assignments.

7. Hours Received May Be Limited.

Generally, donations per event are limited to the employee's Family Medical Leave Act eligibility period, if applicable. Eligibility for continued receipt of donations is reviewed on a case by case basis, however, shared leave donations shall not exceed 261 days.

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8. Employees May Donate Under Certain Conditions.

An employee may donate vacation leave, sick leave, or personal holiday to another employee under certain conditions

- An employee's request to donate a specified amount of leave must be approved by HR. The employee's request to donate leave must not cause his/her vacation leave balance to fall below 80 hours. If employees are part time, requirements for annual leave will be prorated.
- The employee can only donate sick leave if it does not cause his/her sick leave balance to fall below 176 hours after transfer and for sick leave donations, a day equals the donor's monthly sick leave accrual.

An employee may donate all or part of his/her personal holiday to an employee authorized to receive shared leave. An employee shall be allowed to split the personal holiday only when donating a portion of the personal holiday to the shared leave program.

9. Names Of Approved Recipients Will Be Advertised For A Limited Time.

Names of shared leave recipients will be advertised for a duration based on a case by case basis.

10. All Available Accrued Leave Must Be Used Prior To Using Shared Leave.

Employees must follow appropriate contract or handbook rules regarding leave use.

11. Unused Donations Will Be Returned To Donors.

Unused shared leave may not be cashed out but shall be returned to the donors. The portion of a personal holiday that is accrued, donated as shared leave, and then returned during the same calendar year to the donating employee, may be taken by the donating employee. An employee shall be allowed to split the personal holiday only when donating a portion of the personal holiday to the shared leave program.

12. Benefits And Means Of Payment Shall Continue While On Leave.

An employee on leave and eligible under the shared leave rules and regulations shall continue to be classified as a state employee and shall receive the same treatment in respect to salary, wages, and employee benefits as the employee would normally receive if using accrued annual leave or sick leave. All salary and wage payments made to employees while on leave, and compliant with the shared leave rules shall be made by WWU.

Where institution heads have approved the transfer of leave by an employee of one institution to an employee of another institution, the institutions involved shall arrange for the transfer of funds and credit for the appropriate value of leave in accordance with the Office of Financial Management policies, regulations, and procedures. The leave received will be coded as shared leave and maintained separately from all other leave balances.