

Leave Sharing Program

(This policy replaces policy 405.0 Leave Sharing Program)

Leave Sharing

Langston University (LU) provides a leave sharing program as one of the employment-related benefits afforded to its employees. The purpose of the leave sharing program is to permit Langston University employees to voluntarily donate extended sick leave to a fellow LU employee, within the terms and conditions set forth in this policy.

Definitions

Close relative – The spouse, child, stepchild, grandchild, grandparent, stepparent, mother-in-law, father-in-law, or parent of the employee.

Extraordinary or severe medical condition –A severe illness, injury, impairment, or physical or mental condition which has caused or is likely to cause an employee to take leave without pay or be separated from employment, **and** would qualify the employee to receive leave under the Family Medical Leave Act, even if the employee does not qualify for FMLA for non-medical reasons (i.e. not employed long enough). The condition must be confirmed by a physician.

Household member –A person who resides in the same home as the LU employee and who the employee has a reciprocal duty to and does provide financial support for such individual. It does not include persons sharing the same general house, when the living style is that of a dormitory or commune.

Langston University Employee – An exempt staff, non-exempt staff, or faculty employee with over six (6) months of continuous employment at LU. Employees on temporary or other limited term appointments are not included.

Vice President –The Vice President of the University having direct or indirect supervision of the employee receiving or donating shared leave.

New Hire –A regular full-time LU employee with less than 6 months of continuous service at LU.

Eligibility to Receive Shared Leave

LU employees are eligible to received shared leave under the following conditions:

- The employee has abided by all LU policies regarding the use of leave.
- The employee has exhausted or will exhaust all accrued leave, including extended sick leave prior to the start of the requested leave.

- The employee's eligibility shall cease upon the employee receiving any compensated benefit provided by the employee benefit program such as short-term disability payments, worker's compensation payments, or long-term disability payments.
- The Vice President overseeing the employee determines that the employee, a close relative of the employee, or a household member of the employee has an extraordinary or severe medical condition. In the event that a Vice President or other individual reporting directly to the President is the intended recipient of shared leave, the President shall make such determination.
- The employee receiving such donated leave meets all eligibility requirements set forth in this policy.
- A new hire is eligible for one-half of the benefits that an employee is eligible for under this policy.
- The employee meets all other criteria set forth in this policy.

Eligibility to Donate Leave

LU employees are eligible to donate leave under the following conditions:

- All donated leave must be given voluntarily in writing. No employee shall be coerced, threatened, intimidated or financially induced into donating.
- Only an active employee may donate. An employee who has issued a letter of resignation or retirement may not donate. Furthermore, an employee may not donate accrued paid leave within six months of his or her date of resignation or retirement.
- The donation does not cause the annual or sick leave balance of the donating employee to fall below 160 hours and
- The appropriate forms must be completed including approval signatures as may be required. Donations must be submitted within ten (10) working days from the determination of the need for donated leave.
- 'An employee may not donate leave that the donor would not be able to take otherwise under the College's leave policies.

- The Vice President having direct or indirect supervision of the donating employee determines that the employee has sufficient accrued leave or extended sick leave to donate to another employee.
- The employee receiving such donated leave meets all eligibility requirements set forth in this policy.

Recipients of Donated Leave

Employees receiving donated leave must:

- The employee (or his/her representative in the event the employee is incapacitated) must complete the Leave Sharing Request Form and submit a current medical statement from a licensed physician verifying the need for the leave and the expected duration of the condition.
- Upon completing the form, the employee will forward the form to his/her immediate supervisor.
- Once the form has been completed and signed by the employee's supervisor, it should be forwarded to the Director of Human Resources.
- Recipients do not accrue leave while on shared leave.

Limitation on Leave Sharing

The following limitations apply to the leave sharing policy:

- A Langston University employee may only receive and use a maximum of 28 days of donated leave each year of Langston University employment.
- Donated leave may only be used by the recipient for the purposes specified in this policy.
- All forms of paid leave available must be exhausted prior to using any donated leave.
- Shared leave ends in the event of termination of the condition causing the need for leave.
- The Leave Sharing Request Form must be completed and submitted with a current medical statement for a licensed physician verifying the need for the leave and the expected duration of the condition.

- The Leave Sharing Request Form must be approved by the Vice President having direct or indirect supervision of the employee receiving donated leave.

Administration of the Policy

- Receipt of leave is conditioned upon the availability of donated paid leave.
- No leave share request will be processed retroactively.
- Donated paid leave and extended sick leave may be transferred between employees indifferent areas/departments only with the agreement of the Vice President having direct or indirect supervision over the areas or, if the areas/departments are under the supervision of more than one Vice President, only with the agreement of both Vice Presidents.
- The leave received will be designated as donated leave and will be maintained separately in the Human Resources Office from all other leave balances.
- Donated leave not actually used by the recipient during each occurrence of an extraordinary or severe medical condition, as determined by the Vice President of such employee, shall be returned to the donor. In the case of multiple leave donors, the donated leave remaining will be divided among the donors on a prorated basis based on the original donated value, returned at its original donor value, and reinstated to the leave balance of each donor.
- The employee receiving donated leave shall be paid his or her regular rate of pay. Therefore, one hour of donated leave may cover more or less than one hour of the salary of the recipient. The dollar value of the donated leave shall be converted from the donor to the recipient and the actual amount of donated leave credited to the recipient shall be calculated at the salary rate then be paid to the recipient.

(Example: If Employee A, being paid \$10.00 per hour, donates 2 hours of leave to Employee B, who is paid \$20.00 per hour, the donated leave is converted to the salary rate being paid to Employee B, resulting in Employee B actually receiving one (1) hour of donated leave.