

Section: Donated Leave

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Sponsoring Unit/Department: Employee Service Center

Donated Leave

The Pima Community College Voluntary Leave Donation Program allows eligible employees to voluntarily donate accumulated annual or sick leave to a leave bank for the benefit of eligible employees facing substantial loss of income as a result of their own serious health condition or their absence necessary to care for a family member with a serious health condition.

This program is for a longer-term medical condition, illness, injury or disability which requires hospitalization and/or convalescence or recuperation in an extended care facility or at home while under the care of a licensed healthcare provider. It is not intended for short-term leaves due to routine or non-extraordinary illness.

DEFINITIONS

- **Donated Leave Bank:** This is the pool of funds for Donated Leave.
- **Family Member:** As used herein, family has the same definition as provided for in the Family Medical Leave Act (FMLA). See the Family Medical Leave Action section of the Employee Handbook.
- **Medical Documentation:** Certification issued by a health care provider, which includes medical information about the health condition, including the date the condition commenced, the probable duration of the condition, and either the employee's inability to perform the essential functions of their job or the requirement for the employee to provide care for the family member.
- **Eligible Condition:** An injury or illness that seriously incapacitates an employee or family member and necessitates that the employee be absent from duty for a minimum of 40 hours beyond the point in time when the employee will exhaust all accumulated leave and there is no other applicable income replacement benefit such as Worker's Compensation or military duty pay. In the case of the employee, the individual cannot perform the essential duties of the job held due to the health condition. An eligible condition also includes care of a child following birth or adoption.
- **Recipient:** A current full-time employee who has experienced an eligible medical condition and has been approved by the Employee Service Center (ESC) to receive Donated Leave.

Rules for Recipients

- The total amount of donated leave an employee can receive in any 12-month period is limited to 45 work days (360 hours).
- Employees can only receive donated leave when they have exhausted all available accumulated annual and sick leave.
- Employees may not receive donated leave for occupationally-related accident or illness which is compensable under Workers' Compensation benefits.
- Annual and sick leave do not accrue while on Donated Leave

Application to Receive Donated Leave

1. An employee who has experienced an Eligible Condition must submit a written application to the ESC to become a Recipient. If an employee is not capable of completing an application, an appropriate representative may make the written application on the applicant's behalf.
2. Each application will require the following information:
 - a. The name and position title of the applicant employee.
 - b. A brief description of the nature, severity, and anticipated duration of the Eligible Condition.
 - c. Additional information that is directly related to and supports the application, including medical documentation in an envelope marked "confidential", where appropriate.
 - d. A consent to release of protected health information as defined under HIPAA and the College policies if the Eligible Condition is related to a medical condition.

Rules for Donation

- Leave donations will be accepted and processed in the order received by the ESC.
- An eligible employee who wishes to donate accrued leave to the Donated Leave Bank must submit a completed Request to Donate Leave form to ESC.
- Leave must be donated in one-hour increments. In order to donate leave
 - Staff donors may not deplete their own annual leave balance below 80 hours.
 - Sick leave balances must be maintained at or above 320 hours for staff and Education Support Faculty;
 - Sick leave balance must be maintained at or above 232 hours for Instructional Faculty.
- Donors may donate a maximum of 80 hours for staff and Education Support Faculty and 58 hours for Instructional Faculty (equivalent to 10 workdays) of sick leave per calendar year.
- Employees are not eligible to donate leave fifteen work days or less before separation from the College or if becoming ineligible for sick leave accrual.
- The donation of leave is strictly voluntary.
- Leave donations are irrevocable.
- The College will ask for donations on a periodic basis should the Donated Leave Bank be depleted.
- In the annual transfer process of sick to annual leave, donated sick leave will not be treated as used sick leave for determining the number of hours available to transfer.
- The College may suspend donations to the Donated Leave Bank if the balance far exceeds projected need.

End of an Eligible Condition Status

The Eligible Condition ends upon the earliest of the following events:

- Termination of employment of the Recipient;

- On the day the Recipient is no longer affected by the Eligible Condition; or
- Death of the Recipient.