



PROCEDURE

Policy Name:	Shared Leave
Policy Number:	4727
Applicable Code/Law:	RCW 41.04.650, OFM 25.40.10, WAC 357-31-390-455,

Definitions:

Employee – Any employee who is entitled to accrue sick leave or vacation leave and for whom Shoreline Community College has maintained leave records.

Relative or Household Member – Limited to the employee’s spouse, child, parent, grandparent, parent-in-law, or as defined in the appropriate collective bargaining agreement.

Household Member – Persons who reside in the same house who have reciprocal duties and provide financial support for one another. This term shall include foster children and legal wards.

Severe or Extraordinary – Serious, extreme or life-threatening.

Service in the Uniformed Services – Performance of duty on a voluntary or involuntary basis in a uniformed service under competent authority and includes active duty, active for training, initial active 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 - The armed forces, the army national guard, and 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.

Procedural Guidelines:

To be eligible to receive shared leave hours, an employee must submit the Shared Leave Request/Authorization form together with a) a medical certificate from a licensed physician or licensed health care practitioner verifying the employee's (or eligible relative or household member's) required absence, the description of the medical problem, and expected date of return-to-work status, b) a copy of the military orders if called to Service in the Uniformed Services, c) confirmation of status as a volunteer responder to a declared state of emergency within the United States, or d)

documentation in compliance with WAC 357-31.405(4) for leave taken as a result of domestic violence, sexual assault, or stalking. If the employee is incapacitated, the employee's representative may complete the form and obtain the medical certificate for the employee. The completed form should be submitted to the Office of Human Resources office.

Conditions for Receipt of Shared Leave

A faculty member, classified, or administrative/exempt staff member may be eligible to receive shared leave if the College President or designee has determined the employee meets the following criteria.

1. The employee is requesting leave under one of the following categories:
 - a. The employee has been called to service in the uniformed services;
 - b. The employee is volunteering with a governmental agency or a nonprofit organization when a state of emergency has been declared within the United States;
 - c. The employee or a relative or household member is suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition; or
 - d. The employee is a victim of domestic violence, sexual assault, or stalking as defined in RCW [41.04.655](#).
2. The employee has depleted all other leave balances such as sick leave, annual (vacation) leave, personal holiday, personal leave day, or compensatory time prior to using shared leave.
3. If the situation is a result of an injury sustained on-the-job, the employee must have diligently pursued and been found to be ineligible for benefits under Chapter 51.32 RCW. If a time loss claim is approved at a later time, all leave received shall be returned to the donors, and the employee will return to the College any excess monies received.
4. The employee must have abided by College procedures and rules regarding sick leave usage.
5. The employee's absence and the use of donated leave are justified.

The College President or designee shall determine the amount of leave, if any, which the employee may receive. However, per WAC 357-31-400 an employee shall not receive more than five hundred twenty-two (522) days of shared leave during total state employment. For this purpose, eight hours shall constitute a day unless otherwise required by statute, regulations or employment contract.

No employee may be intimidated, threatened, or coerced into donating leave for the purposes of this program.

Conditions for the Donation of Shared Leave

1. Administrative/Exempt and Classified employees may donate leave as follows:
 - a. Annual (Vacation) Leave – The donation may not cause the donating employee's annual leave balance to drop below ten days (80 hours).
 - b. Sick Leave – The donation may not cause the donating employee's sick leave balance to drop below 22 days (176 hours)
 - c. Personal Holiday/Personal Leave Day – The donating employee may donate all or part of their person holiday or personal leave day.
2. Faculty may donate leave as follows:

- a. Sick Leave – The donation shall only be made from the compensable sick leave account and may not cause the donating employee’s compensable sick leave balance to drop below 22 days (176 hrs).

To donate, employees must submit a completed Shared Leave Donation form to the Office of Human Resources. The decision to donate leave is irrevocable once the form has been signed.

Shared Leave Administration:

The Office of Human Resources will review and process shared leave program requests, and will calculate the number of hours to be transferred to the receiving employee, posting the applicable transfer to both the donor and the receiving employee’s leave records. Shared leave balances shall be maintained separately from other leave balances, and coded as non-compensable sick leave.

1. Shared leave will be donated and received at a rate calculated by converting the donor’s leave to a cash value and applying that cash value to the receiving employee.
2. An employee may not donate any type of leave they would lose due to termination, whether by voluntary resignation, retirement, and layoff or as a result of disciplinary action.
3. Any shared leave not used by the recipient because of reason such as (but not limited to) no longer meeting the requirements to receive, requesting that donated leave cease, employee death or termination of employment, or achieving the maximum for receipt shall be returned to the donor(s) on a pro-rata basis.
4. Unused shared leave may not be cashed out by the recipient under sick leave buyout rules, but instead shall be returned to the donor(s). For purposes of the January Sick Leave Buyout, leave donated shall be considered as leave used during the year donated and will thus reduce the amount which may be eligible for buyout.
5. The receiving employee’s supervisor will continue to assure the appropriate submission of all leave used in Time and Leave Reporting (TLR).
6. An employee on leave under these rules shall continue to receive the same treatment in respect to salary and employee benefits as the employee would normally receive if using accrued annual leave or sick leave.

Questions about the Shared Leave program may be directed to the Office of Human Resources at any time.