

**SUBJECT:** Personnel

**POLICY:** 406.15 Sick Leave Donations

**RELATED PROCEDURE:**

**EFFECTIVE:** February 2017

**REVISED:**

**REVIEWED:**

---

### **Introduction and Purpose**

It is the policy of Great Falls College MSU to allow eligible employees to share accumulated sick leave with other eligible employees according to guidelines developed by the Board of Regents to comply with 2-18-618, M.C.A. It is the objective of this policy to establish eligibility requirements and procedures to administer donated sick leave. Since the department employing the recipient of sick leave donations must pay all costs for the use of that sick leave, department head/director approval must be obtained before an employee can accept the donation of any sick leave.

### **Policy**

#### **Eligibility to Receive Sick Leave Donations**

To be eligible to receive donated sick leave, the receiving employee must:

- be a current employee of Great Falls College MSU
- have completed the 90 day qualifying period to use sick leave
- suffer from an extensive illness or accident, or pregnancy or childbirth related health condition which results in absence from work of at least 10 consecutive working days
- not be on a long term leave of absence which is unrelated to the extensive illness or accident
- not be on a layoff or in a no-pay status
- not be eligible to receive workers' compensation benefits
- exhaust all personally accrued sick leave, annual leave, personal leave, and compensatory time
- provide Human Resources a physician's certification of extensive illness or accident, pregnancy or childbirth related health condition

An employee may also receive donated sick leave when a member of the employee's immediate family is suffering from an extensive illness or accident which requires the attendance of the employee until professional or other assistance can be obtained.

If the employee meets the eligibility requirements and the donation of sick leave is approved, the sick leave will be added to the recipient employee's sick leave balance on an as-needed basis at the end of each pay period. Employees may receive a maximum of 240 hours of donated sick leave during any 12 month period, calculated from the first day the employee uses donated sick leave. The maximum allowable leave for part time employees shall be prorated according to FTE status.

#### **Eligibility to Contribute Sick Leave**

To donate sick leave, an employee must:

- be a current employee of Great Falls College MSU
- complete the 90 day qualifying period to use sick leave
- have a minimum balance of 40 hours of sick leave after donation; the minimum balance for part-time employees is prorated according to their FTE.

The maximum sick leave an employee may contribute is 40 hours in any 12 month period. All contributions are voluntary.

### **Direct Sick Leave Donation Form**

To donate sick leave to another individual, the contributor *and* recipient will be indicated on the Direct Sick Leave Donation Form.

An employee may have personal reasons for not accepting donated sick leave or may have exceeded the maximum receipt of sick leave donations. In these cases, contributions will not be deducted from the donor's sick leave balance. Upon receipt of the completed Direct Sick Leave Donation Form, the donated leave will be deducted from the contributor's sick leave and credit the sick leave to the recipient in the order the Direct Sick Leave Donation Forms are received, on an as-needed basis. Use of sick leave should be reflected on the receiving employee's timesheet. Employees who donate sick leave may check their leave balances on My Info. An employee may choose not to accept donated sick leave, or may not need all hours donated, or may have exceeded the maximum donation allowed. In such cases, donations will not be deducted from the donor's sick leave balance.

### **Prohibited Uses of Donated Sick Leave**

An employee may not use donated sick leave:

- if the employee is eligible for workers' compensation wage loss benefits
- during a leave of absence without pay which was approved for reasons other than an extensive illness, or accident
- when the employee has annual leave, sick leave or compensatory time available; if an employee has leave available that accrued while the employee was using donated sick leave, the accrued leave must be exhausted before using any additional donated sick leave
- retroactively to a previous pay period in which the employee was in a leave without pay status and had not yet become eligible to receive a sick leave donation; applying donated sick leave to time spent in a leave without pay status in the same pay period that the employee becomes eligible is not considered retroactive use of sick leave

Great Falls College MSU will not cash out donated sick leave at termination of employment under Section 2-18-618, MCA.

*(Cross reference Section 1070 "Family and Medical Leave," Section 1025 "Maternity Leave," Section 1030, "Parental Leave" and Section 1035, "Leave of Absence Without Pay," Section 1015, "Sick Leave" of this Manual.)*

### **Related Policies**

- Sections 2-18-601, 2-18-618, "Sick Leave," *Montana Code Annotated*.
- Policy 801.7.1, "Sick Leave Fund Policy," *Montana University System Policy and Procedures Manual*.