

HUMAN RESOURCES**LEAVE DONATION PROGRAM**

The Leave Donation Program is established pursuant to WV Code §18A-4-10f which provides that a county board of education must establish such a program for employees who experience catastrophic medical emergencies.

I. DEFINITIONS

- A. "Catastrophic medical emergency" means a medical or physical condition that:
 - 1. Incapacitates an employee or immediate family member for whom the employee will provide care;
 - 2. Is likely to require the prolonged absence of the employee from duty; and
 - 3. Will result in a substantial loss of income to the employee because the employee has exhausted all accrued personal leave; and is not eligible to receive personal leave or has exhausted personal leave available from a leave bank as established in Regulation 4009.01.
- B. "Employee" means a professional employee or school service personnel employee of the Ohio County Board of Education and who voluntarily contributes leave to another designated employee.
- C. "Donor employee" means a professional employee or school service personnel employee of the Ohio County Board of Education and who voluntarily contributes leave to another designated employee.
- D. "Receiving employee" means a professional employee or school service personnel employee of the Ohio County Board of Education who receives donated personal leave from another employee.

II. RULES

- A. A donor employee may transfer an unlimited amount of accumulated personal leave days to a receiving employee who is his/her spouse.

- B. The total number of personal leave days granted to a receiving employee are limited only by the number of days donated to the employee.
- C. Donor employees must voluntarily agree to transfer leave to a selected employee and may transfer a maximum of five personal leave days to a receiving employee who is not his/her spouse.
- D. Donated leave may not be used to qualify for or added to service for any retirement system administered by the state, or to extend life insurance coverage as provided for by WV Code §5-16-13.
- E. Each personal leave day contributed:
 - 1. Shall be deducted from the number of personal leave days to which the donor employee is entitled to by WV Code §18A-4-10;
 - 2. Shall not be deducted from the number of personal leave days without cause to which the donor employee is entitled if sufficient general personal leave days are otherwise available to the donor employee;
 - 3. Shall be credited to the receiving employee as one full personal leave day;
 - 4. May not be credited for more or less than a full day by calculating the value of the leave according to the hourly wage of each employee; and
 - 5. May be used only for an absence due to the purpose for which the leave was transferred. Any transferred days remaining when the catastrophic medical emergency ends revert back to the donor employee.
- F. An employee may not be coerced or compelled to contribute to the Leave Donation Program. Violations of this rule shall constitute grounds for disciplinary action.

III. PROCEDURES

- A. All requests for implementation of the Leave Donation Program for a specific employee shall be in writing and submitted to the Leave Banks Administrative Committee as outlined in Regulation 4009.01.

4009.03

- B. All requests shall list the donor employees and the number of days donated as provided for in Section II.B.
- C. A quorum of the Leave Banks Administrative Committee shall be convened to administer requests.

REGULATION REVIEWED: June 9, 2014

REGULATION ADOPTED: August 13, 2007

OHIO COUNTY BOARD OF EDUCATION