Human Resources

DONATED LEAVE PROGRAM
For Classified Employees

I. Purpose

The purpose of this procedure is to set forth the eligibility requirements governing participation in the Donated Leave Program (N.J.A.C. 4A:6-1.22) which enables classified Rowan employees, under certain conditions, to donate leave to other eligible Rowan employees.

II. Donated Leave Program Description

The program enables employees to donate voluntarily a portion of their earned sick and/or vacation time to other employees who have exhausted their own earned leave **and** who themselves or a member of their family are suffering from serious catastrophic health condition or injury which is expected to require a prolonged absence from work.

III. Eligibility

A. Recipient:
An employee shall be eligible to receive donated sick and/or vacation time from other eligible Rowan University employees provided they meet the following criteria and requirements:

1. Has completed at least one year of continuous University service as full-time employee.
2. Is on a continuous approved leave of absence from work due to the qualifying condition for which donated leave is requested.
3. Has exhausted all accrued sick, vacation and administrative leave, paid leave bank, all sick leave injury benefits, if any, and all compensatory time off;
4. Has not, in the two-year period immediately preceding the employee's need for donated leave, been disciplined for chronic or excessive absenteeism, chronic or excessive lateness or abuse of leave; and
5. Either:
    i. Suffers from a catastrophic health condition or injury;
    ii. Is needed to provide care to a member of the employee's immediate family who is suffering from a catastrophic health condition or injury; or
    iii. Requires absence from work due to the donation of an organ (which shall include, for example, the donation of bone marrow).

For purposes of this section, a "catastrophic health condition or injury" shall be defined as follows:

1. With respect to an employee, a "catastrophic health condition or injury" is either:
    i. A life-threatening condition or combination of conditions; or
    ii. A period of disability required by his or her mental or physical health or the health of the employee's fetus which requires the care of a physician who provides a medical verification of the need for the employee's absence from work for 60 or more work days.
2. With respect to an employee's immediate family member, a "catastrophic health condition or injury" is either:

i. A life-threatening condition or combination of conditions; or
ii. A period of disability required by his or her mental or physical health which requires the care of a physician who provides a medical verification of the need for the family member's care by the employee for 60 or more work days.

B. Donor:

A leave donor must meet the following criteria and requirements:

An irrevocable donation of not more than 30 days to any one recipient in whole days only provided that the donor shall retain a remaining balance of not less than 20 days of accrued sick leave, if donating sick leave; and 12 days of accrued vacation leave if donating vacation leave.

C. Prohibited Activities:

A University employee shall be prohibited from threatening or coercing or attempting to threaten or coerce another employee for the purpose of interfering with rights involving donating, receiving or using donated leave time. Such prohibited acts shall include, but not be limited to, promising to confer or conferring a benefit such as an appointment or promotion or making a threat to engage in, or engaging in, an act of retaliation against an employee.

IV. Procedures:

A. The donated program is administered by Human Resources and is subject to monitoring, audit and appropriate rules issued by the New Jersey Civil Service Commission in accordance with N.J.A.C. 4A:6-1.22.

B. Participation in the program is on a strictly voluntary basis limited to a recipient receiving a total of not more than 260 sick or vacation days an shall not receive any such days on a retroactive basis.

C. Requests are subject to approval of the Recipient Affidavit and Donor Transfer Certification Forms (sample attached) which are available in Human Resources. In the event that the employee is unable to complete the Recipient Affidavit Form, the employee's designate family may complete the form on behalf of the employee. A supervisor may also initiate this process on behalf of the employee. Notice shall be provided to all appropriate negotiation representatives.

D. Upon approval of the employee as an eligible leave recipient, the employee's name will be posted in Human Resources files but will remain anonymous to all other employees.

E. The donor's leave account will be reduced by the number of days which are to be donated.

F. The eligible recipient's leave account will be credited with the donated time upon approval of the Recipient Affidavit Form. The recipient may receive days from more that one donor to a maximum of 260 days.

G. Any unused donated leave time shall be credited to the leave donor or donors on a prorated basis upon the leave recipient's return to work. However, any portion that would amount to less than one day per donor will not be returned.

H. The leave recipient shall continue to accrue sick and vacation leave while using donated leave time. This entitlement shall be retained and credited to the employee upon his/her return to work.

I. Recipients cannot collect Temporary Disability Insurance while participating in the Leave Donation Program. Once an employee has exhausted all benefits from the Leave Donated Program, the employee can enroll or re-enroll in the TDI Program.

J. Upon retirement, the leave recipient shall not be granted supplemental compensation on retirement for any sick leave he/she received through the Donated Sick Leave Program.

V. Questions:

All questions concerning the Donated Leave Program should be directed to the Benefits Department of the Office of Human Resources in Oak Hall (ext. 64134) or Benefits@rowan.edu.