

DEFINITIONS

1. **ANNUAL LEAVE:** "Annual leave" means vacation that an employee accrues and is maintained in the records of the district.
2. **SICK LEAVE:** "Sick leave" means leave granted to an employee for the purpose of absence from work with pay in the event of illness, injury, and emergencies as authorized by RCW 28A.400.300 (2) (c).
3. **DAY:** Current assigned work hours per day.
4. **EMPLOYEE:** "Employee" means any District employee entitled to use and accrue annual and/or sick leave.
5. **DISTRICT:** "District" means the North Thurston Public Schools.
6. **LEAVE RECIPIENT:** Leave "recipient" means a current employee who is eligible under section 12 of this policy to receive shared leave and who has an approved application to receive shared leave compensation.
7. **LEAVE DONOR:** Leave "donor" means an employee who has an approved written request for the transfer of annual or sick leave to the leave recipient.
8. **EMPLOYEE'S RELATIVE:** For purposes of this policy and procedure, "employee's relative" means the leave recipient's spouse, child, stepchild, grandchild, grandparent, parent, sibling, or other close relative by blood or marriage.
9. **HOUSEHOLD MEMBERS:** For purposes of this policy and procedure, "household members" mean those persons who reside in the same home as a family unit. This term shall include foster children and legal wards even if they do not live in the household. The term does not include persons sharing the same general house when the living style is primarily that of a dormitory or commune.
10. **EXTRAORDINARY OR SEVERE:** "Extraordinary or severe" means serious or extreme and/or life threatening.
11. **SHARED LEAVE COMPENSATION:** "Shared leave" means paid leave that has been donated to a leave recipient pursuant to this policy or procedure. Once it is transferred to a leave recipient, no distinction is made between donated annual and sick leave.
12. **ELIGIBILITY:** An employee may be eligible to receive shared leave under the following conditions:
 1. The employee's job is one in which annual leave and/or sick leave can be used and accrued.

2. The staff member:
 - a. Suffers from, or has a relative or household member suffering from, an extraordinary or severe illness, injury, impairment, or physical or mental condition;
 - b. offers to volunteer their needed skills to assist in responding to an emergency because of which the federal or any state government has declared of a state of emergency, and a governmental agency or a nonprofit organization engaged in humanitarian relief in the devastated area accepts the employee's offer of volunteer services;
 - c. is a victim of domestic violence, sexual assault, or stalking;
 - d. is a current member of the uniformed services or veteran as defined under RCW 41.04.005 who is attending medical appointments or treatments for a service-connected injury or disability;
 - e. is a spouse of a current member of the uniformed services or a veteran as defined under RCW 41.04.005, who is attending medical appointments or treatments for a service-connected injury or disability and requires assistance while attending appointment or treatment;
 - f. needs time for parental leave;
 - g. is sick or temporarily disabled because of pregnancy or
 - h. has been called to service in the uniform services.
3. The condition(s) listed in subsection 2 of this section has caused, or is likely to cause the employee to:
 - a. Go on leave-without-pay status; or
 - b. Terminate his/her employment.
4. The employee is not eligible for time-loss under Chapter 51.32 RCW (worker's compensation).
5. The staff member has abided by district rules regarding sick leave use and has not been subject to disciplinary action for misuse or abuse of District policies regarding the use of sick leave.
6. The employee has exhausted or will shortly exhaust their annual and sick leave. Shortly exhaust means the employee has forty hours or less of applicable leave left. This section applies as follows:
 - a. The staff member suffers from, or has a relative or household member suffering from, an extraordinary or severe illness, injury, impairment, or physical and mental condition, and the staff member and is about to shortly exhaust both their annual and sick leave.
 - b. The staff member has been called to service in the uniform services and shortly exhaust their annual leave and shortly exhaust their paid military leave.
 - c. The staff member is volunteering needed skills in response to a state of emergency or is a victim of domestic violence, sexual assault, or stalking and the staff member will shortly exhaust their annual leave.

- d. The staff member is a current member of the uniformed services, is a veteran, or is a spouse of the forementioned, as described in subsections 2(d) and 2(e) and the staff member will shortly exhaust both their annual and sick leave.
- e. The staff member needs time for parental leave or is sick or temporarily disabled because of pregnancy and maintains and will shortly exhaust both their annual and sick leave.

DONATION OF ANNUAL LEAVE: An employee may donate annual leave to specific individuals using the following criteria:

1. Employees may donate any amount of annual leave provided that the donation does not cause the donor's annual leave balance to fall below 10 days as of the date of the transfer. The 10-day minimum does not apply to employees who are resigning their position with the district.
2. Employees may not donate excess annual leave that the donor would otherwise lose within 30 calendar days due to exceeding a maximum number of hours on a specific date.
3. The donated annual leave must be given voluntarily. No employee shall be coerced, threatened, intimidated, or financially induced into donating annual leave.
4. Donation may be made directly to an employee approved for shared leave.
5. All donated annual leave not used by a specified employee will be returned to the leave donor.

DONATION OF SICK LEAVE: An employee may donate sick leave to specific individuals using the following criteria:

1. The donor must have accrued more than 22 days of sick leave.
2. Employees may not donate more than 6 days of sick leave during any fiscal year (RCW 28A.400.300).
3. The donated sick leave must be given voluntarily. No employee shall be coerced, threatened, intimidated, or financially induced into donating sick leave.
4. Employees may not donate an amount of sick leave that will result in his or her sick leave account going below 22 days as of the date of transfer. This minimum does not apply to employees who are resigning their position with the district.
5. All donated sick leave not used by a specified employee will be returned to the leave donor.

MAXIMUM AMOUNT: The amount of shared leave a leave recipient may receive and use is as follows:

1. Shared leave may be used only after the recipient has exhausted, or will shortly exhaust, all accrued annual leave, sick leave, and personal leave.
2. Long-term or short-term disability benefit payments received by a leave recipient for a period covered by shared leave will be deducted from the amount of the shared leave benefit. Employees requesting shared leave must:
 - (a) certify that they are not eligible for disability benefits for the period covered by shared leave or
 - (b) agree in writing (1) to notify the Payroll Office in a timely manner of all disability insurance coverage and benefits received for the period covered by shared leave and (2) to remit to the District any shared leave benefits received that duplicate disability benefit payments.
3. The maximum lifetime cumulative amount an employee is eligible for under the shared leave program from employment at any and all state agencies and/or school district is defined in RCW 41.04.665.

DOCUMENTATION:

1. The employee requesting shared leave compensation shall submit to the Executive Director of Human Resources or designee, a shared leave request and documentation from a licensed physician or other authorized health care practitioner verifying the severe or extraordinary nature and expected duration of the condition of the employee, relative or household member.
2. The Executive Director of Human Resources or designee shall review and approve or deny the request for shared leave based upon:
 - a. The written request and supporting documentation received from the leave applicant;
 - b. Records of the applicant's annual, personal and sick leaves usage and balances.
 - c. A review of the applicant's personnel file or other relevant information to determine whether the applicant has complied with District sick leave policy.
3. The employee must provide documentation from a licensed physician reaffirming the supplied information on the 61st day and for every subsequent 60 days the employee utilizes shared leave.
4. The employee requesting shared leave may appeal a denial of the shared leave request to a committee of employees representing the district's bargaining groups. Appeals of the committee's decision may be made to the Superintendent.

CALCULATION AND APPLICATION OF SHARED LEAVE BENEFIT

1. The leave recipient shall be paid his or her regular rate of pay as employed or contracted with the district. Each day of donated leave will be converted to dollars based on the donor rate of pay, then converted to hours by dividing that dollar amount by the recipient's rate of pay.
2. The value of any leave transferred under this policy which remains unused shall be returned to the original leave donor and reinstated to their leave balance.

Adopted: March 28, 1991 North Thurston School District
Board of Directors

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Board of Directors

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