

CHAPTER: PERSONNEL
TITLE: PERSONAL LEAVE DONATION POLICY

The Calhoun County Board of Education hereby establishes a Personal Leave Donation Program for permanent, regularly employed professional and service personnel of Calhoun County Schools; pursuant to §18A-4-10f of the West Virginia Code. The intent of the Personal Leave Donation Program is to allow the donor employee to transfer accrued personal leave to the personal leave account of another employee.

Employees [donor employees] are authorized to transfer accrued personal leave days to designated employees [recipient employees] under the following conditions:

1. A donor employee may transfer an unlimited number of accrued personal leave days to a spouse.
2. A donor employee may transfer up to 30 days of accumulated personal leave days per year to a recipient employee who is not the spouse of the donor employee.
3. All decisions to transfer accrued personal leave must be voluntary.
4. A donor employee must designate the recipient employee.
5. The recipient employee or a member of the employee's immediate family for whom the employee will provide care must be currently experiencing a "catastrophic medical emergency" [medical condition that is either A.) an ongoing illness that involves extensive medical treatment that may or may not require hospitalization -OR- B.) an accident that involves extensive medical treatment that may or may not require hospitalization. Either medical condition is likely to require periodic or prolonged absence of the employee from duty and which will result in a substantial loss of income to the employee because the employee has exhausted all accrued personal leave, including leave awarded by a leave bank, or who has exhausted all accrued personal leave and who is ineligible for an award of additional leave from a leave bank]. The Superintendent, or the Superintendent's designee, shall be the sole judge upon the question of whether an employee is experiencing a "catastrophic medical emergency." The immediate family is defined as: Any person with whom the school employee may be living with or the father, mother, son, daughter, brother, sister, husband, wife, in-laws, grandparents, and grandchildren.
6. The recipient employee must require additional personal leave as a result of a catastrophic medical emergency.
7. Donated leave may not be used to qualify for or add to service for any retirement system administered by the state or to extend health insurance coverage provided by PEIA.
8. Donated leave shall be deducted from a donor employee's accrued personal leave but shall not be deducted from personal leave available for use without cause if sufficient general personal leave days are available for donation.
9. Donated leave transferred to a recipient employee shall be credited on a day-for-day basis without regard to the hourly wage value of the leave.

10. Donated leave transferred to a recipient employee that is unused following the end of a catastrophic medical emergency (the end of a catastrophic medical emergency may be occasioned by the death of a recipient employee) shall be returned to the donor employee. The Superintendent, or the Superintendent's designee, shall be the sole judge upon the question of whether a catastrophic medical emergency has ended. In the event the donor employee is no longer employed upon a determination that a catastrophic medical emergency has ended, any unused donated leave shall be deducted from the recipient employee's accumulated personal leave; and if possible, such leave shall be returned to the (former) donor employee's account, or if not possible such leave shall be credited to the Personal Leave Bank.
11. An employee may not be coerced or compelled to contribute accumulated personal leave under the terms of this program.
12. Donated leave shall be credited to the account of the recipient in the order in which the donation was received in the Finance Office, and expended by the recipient in that same order. Any donated days unused at the conclusion of the employee's catastrophic medical emergency shall be returned to the personal leave account of the donor.
13. A request to donate leave under this program must be submitted by completion of a form published for this purpose.

REFERENCES: West Virginia Code §18A-4-10f

ADPOTION DATE: 3/11/13

EFFECTIVE DATE: 3/11/13

REVISION DATE: 12/10/14