

Leave Sharing

Employees may, with the approval of the Superintendent, donate vacation leave or sick leave to another ESD employee for sick leave purposes. RCW 28A.400.380

Eligibility to Receive Shared Leave

An employee may be eligible to receive shared leave under the following conditions:

1. the employee suffers from, or has a family member suffering from an illness, injury, impairment or physical or mental condition which is of an extraordinary or severe nature and which has caused, or is likely to cause, the employee to go on leave without pay or terminate ESD employment. Family member is defined in ESD Board Policy 5401;
2. the employee's job is one in which vacation and/or sick leave can be used or accrued;
3. the employee has one year of continuous employment in a regular ESD position and is assigned to work 20 hours per week or more;
4. the employee has exhausted or will exhaust his/her vacation leave and sick leave and all other paid leaves;
5. the employee has abided by the ESD regulations regarding sick and vacation leave use; and
6. the employee has diligently pursued and been found to be ineligible for time loss compensation under chapter 51.32 RCW (the chapter of the state Industrial Insurance Act entitled "Compensation--Right to and Amount").

Any employee who wishes to receive leave under this policy shall submit a shared leave request form, and documentation from a licensed physician or other authorized health care practitioner verifying the severe or extraordinary nature and expected duration of the condition.

No employee shall receive more than 40 days of shared leave for his/her life threatening illness or injury in a 12 month period; or no more than 20 days of shared leave for a family member's life threatening illness or injury in a 12 month period.

Donation of Leave

An employee may donate vacation and/or sick leave to another employee under the following conditions:

1. An employee who has an accrued vacation leave balance of more than ten (10) days may request the Superintendent or his/her designee to transfer up to 6 days of vacation leave per calendar year to another employee authorized to receive leave. In no event may the employee request a transfer of an amount of leave that would result in his/her vacation leave account going below ten (10) days.

2. An employee who has an accrued sick leave balance of more than twenty-two (22) days may request the Superintendent or his/her designee to transfer up to 6 days of *sick leave* to another employee authorized to receive leave. Such transfer shall not result in the donor's sick leave account going below twenty-two (22) days.

The Superintendent is directed to adopt procedures governing the computation and disposition of transferred shared leave.

Legal References: *RCW 28A.400.380 Leave sharing program.*
 RCW 41.04.650-665 Leave sharing program – Intent.
 WAC 392-126-004 -104 Finance.

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