

2.14.2.4.4 KCTCS Sick Leave Sharing Program

This policy applies to *regular* status KCTCS employees (as opposed to *temporary* status) who have successfully completed their introductory period and are governed by policies in which the employees may accrue paid sick leave time.

A. Eligibility Requirements

Donor

- Any regular status KCTCS employee (Staff or Faculty) who has accrued a sick leave balance of more than 75 hours.
- Must maintain a minimum sick leave balance of 75 hours following any donation.

Recipient

- Must be a regular status KCTCS employee who has successfully completed their introductory period.
- Must have exhausted all available and accrued paid leave, including sick/TDL, vacation/annual and compensatory leave.
- Leave must be used exclusively for a medical condition of an employee or an employee's family member, as defined by KCTCS Staff TDL policy, that is a qualifying event as defined under The Family and Medical Leave Act (FMLA). The employee's or family member's health care practitioner, as defined under The Family and Medical Leave Act (FMLA), must document the condition resulting in the leave prior to approval of the donation.
- The condition resulting in the leave must require the employee to be absent for at least ten full consecutive workdays.
- Must not have been disciplined for abuse of sick leave or excessive absences within the past 12 months.

B. Donation Stipulations

Donations may only be made by and used for eligible employees employed within KCTCS.

Minimum amount to be donated

7.5 hours

Maximum amount to be donated

None, however, every donor must maintain a minimum sick leave balance of 75 hours following any donation.

Minimum donated amount to be used by recipient

.25 hours

Where multiple donors donate sick leave to the same recipient, the sick leave shall be transferred to the eligible recipient in chronological order of receipt from donors' forms up to the maximum that has been certified to be needed by the recipient.

Donated sick leave shall be used in the order in which it is donated and shall be used on consecutive days of absence except as provided in this policy. Any applicable leave that an employee accrues while receiving donated leave shall be used before donated sick leave.

Interested donors may initiate contact with their Human Resources office to donate their leave time to other employees whom they are aware have a need to participate as recipients in the program. In addition, if necessary to obtain a sufficient number of donations, an official communication of a request for donations will be made by the local Human Resources personnel. Due to federal privacy laws, any communication by college officials or System office officials (for System office employees) will be made by withholding the name, identification, and the illness of the prospective employee recipient to insure employee privacy.

When the recipient of donated leave returns to work, unused donated leave will be restored to the donor(s) within 30 calendar days of the return date, unless the recipient provides medical evidence that he or she will require continued, intermittent medical treatment, and/or a reduced work schedule relating to the original condition for which leave was donated.

No employee shall directly or indirectly intimidate, threaten, or coerce any other employee for the purpose of interfering with the employee's right to voluntarily contribute sick leave under this program. For the purpose of this program, "intimidate, threaten, or coerce" shall include, without being limited to, the promise to confer or the conferring of any benefit or gain, or effecting or threatening to effect any reprisal.

Employees who have given notice of termination and/or retirement (verbal or written) may not donate or receive sick leave.

KCTCS ADMINISTRATIVE POLICIES AND PROCEDURES

All sick leave donations must be approved by the college chief executive or administrative officer, or by the appropriate Chancellor or Vice President for System office employees, following receipt and confirmation of all appropriate documentation and information (leave sharing requests, leave donation forms, statements from health care practitioners, etc.).

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| <u>5-15-02</u> Date Approved by President, KCTCS | <u>7-8-03</u> Date(s) of Last Review | <u>7-8-03</u> Date(s) of Last Revision <i>(Include all dates in chronological order)</i> | |
| (SIGNED) | 7-8-03 | (SIGNED) | 7-8-03 |
| <u>Recommended by</u> | <u>Date</u> | <u>President, KCTCS</u> | <u>Date</u> |