

2.14.2.5 Sick Leave Sharing Program

This policy applies to any regular employee (as opposed to *temporary*) who has successfully completed the introductory period and is governed by policies in which the employee may accrue paid sick leave time.*

A. Eligibility Requirements

Donor

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

Recipient

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

B. Donation Stipulations

Donations shall 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

There is no maximum. However, every donor shall maintain a minimum sick leave balance of 75 hours following any donation.

Minimum donated amount to be used by recipient

.25 hours

KCTCS ADMINISTRATIVE POLICIES AND PROCEDURES

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. Leave that an employee accrues while receiving donated leave shall be used before donated sick leave.

Interested donors may initiate contact with their local Human Resources office to donate their leave time to employees who 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 shall 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) shall be made by withholding the name, identification, and the illness of the prospective employee recipient to ensure employee privacy.

When the recipient of donated leave returns to work, unused donated leave shall 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 (oral or written) shall not donate or receive sick leave.

All sick leave donations shall be approved by the college president/ceo, or by the KCTCS Chancellor or KCTCS 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.).

KCTCS ADMINISTRATIVE POLICIES AND PROCEDURES

In addition, provisions regarding sick leave sharing shall be adhered to in accordance with other KCTCS policies and human resources procedure(s) related leaves of absences, family medical leave, and unpaid medical leaves of absence.

*Since regular faculty in the KCTCS personnel system and the UK personnel system do not accrue sick leave, they are not eligible to participate in the program, *except for the ability to donate banked sick leave that was earned on an accrual basis prior to opting over from the 18A/151B personnel system to the KCTCS personnel system.*

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Recommended by	Date	President, KCTCS	Date