NEW Policy for USA.V.C. Employment

2. Compassionate Leave Donation Program

2.1 Definition. In accordance with USNH Policy, USY V.A.17, the Chancellor’s Offices establishes a Compassionate Leave Donation Program which provides a mechanism for status employees who earn Vacation Leave or Earned Time to voluntarily and anonymously donate annual leave or Earned Time to another employee whose absence from work qualifies under the Family Medical Leave Act and who has exhausted, or will exhaust his/her applicable paid leave time. Compassionate leave does not apply to intermittent FMLA situations. The leave is donated directly as a payment to an employee, not a leave bank. The maximum donated time is 20 days (150 hours for OS working 37.5 hours/160 hours for those working 40 hours per week). This program will be coordinated by Human Resources. Confidentiality of medical information for those receiving compassionate leave will be maintained.

2.2 Other Conditions. The role of the institution is to facilitate the administration of the Compassionate Donation Leave Program, not to encourage or discourage participation in the program, nor disseminate information about those employees in need of donations of time. No employee may coerce, threaten, intimidate, or promise financial benefits for donations of leave time.

2.3 Eligibility. The leave will apply to any status employee who earns Vacation Leave or Earned Time and whose situation is such that her/his FMLA absence from work is anticipated to be a minimum of 30 calendar days, including a minimum of five days for the 30 which would be unpaid leave, and the employee is planning to return to work for at least 30 calendar days following the FMLA leave. The number of compassionate leave hours/days an employee may receive per 12-month period will be limited to 20 work days per 12-month period. If otherwise eligible, employees are not eligible for compassionate leave if: 1.) they are receiving USNH Long Term Disability or Workers’ Compensation benefits, 2.) they are on a probationary status.

2.3.1 Donation of Time.

2.3.1.1 Operating Staff. May donate Earned Time in full-hour increments from their Earned Time accrual with a recommended minimum of two hours.

2.3.1.2 Exempt Staff: May donate Vacation/Personal Leave in minimal increments of 0.5 days from their Vacation/Personal leave accrual.

2.3.1.3 No Sick Pool or Sick Leave may be donated.

2.3.1.4 After donating leave, a donating employee must have a minimum balance of one week (e.g. 37.5 or 40 hours/5 days) of Earned Time/Vacation Leave.

2.3.1.5 Time may be donated to a status employee in any department and status employee type covered by this policy.

2.3.1.6 Donated time does not count towards minimum usage requirements.

2.3.1.7 Donations may be made to more than one employee.

2.3.1.8 Maximum donation, not to exceed 12 days (90/96 hours) of Earned Time/Vacation Leave in total per fiscal year, the maximum is pro-rated for percent-time employees.

2.3.2 No Compassionate Leave donations may be made outside the employee’s home institution.
2.3.3 Use of Compassionate Leave.

2.3.3.1 An employee receiving Compassionate Leave will not accrue Earned Time or Vacation/Personal Leave on Compassionate Leave time days.

2.3.3.2 The recipients department will pay the cost of the employee’s salary that is covered by Compassionate Leave.

2.3.3.3 Compassionate Leave use cannot extend beyond the end of the employee’s appointment period or increase the appointment hours/days beyond the budgeted appointment hours/days.

2.3.4 Reporting. The institution shall establish a process to ensure that the donor and recipient time/leave are correctly recorded on appropriate time/leave entries.

2.3.5 Termination of Donated Leave. An employee’s use of donated Compassionate Leave ends when one or more of the following occur the employee returns to work; the maximum amount of donated Compassionate Leave has been used; medical documentation for the employee, spouse; child, or parent releases the employee to return to work; the employee terminates employment; or there are no more donation of leave time to the employee.