

**Policy Number/Title:** 4.125 Leave Transfer Program Policy  
**Effective Since:** 08/10/2023  
**Last Revision Approved:** 08/10/2023  
**Responsible Office:** Human Resources

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### 1. Scope:

This policy applies to employees who occupy FTE positions and who are eligible to receive and/or donate leave to the Leave Transfer Program. Employees in temporary grant and time-limited positions who accrue leave at the same rate as an FTE employee may donate and receive leave if all other eligible requirements are met.

### 2. Definitions:

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### 3. Policy:

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#### Leave Pool Donation

Employees who wish to donate leave through the leave transfer program must submit a Leave Donation Form to the Office of Human Resources in December. Employees may donate no more than one-half of the sick or annual leave earned within a calendar year to the appropriate leave pool account for that calendar year.

Employees who donate leave may not specify to whom their donated leave should be awarded.

#### Leave Pool Recipient Eligibility Criteria



Employees who wish to request leave from the annual or sick leave pool must meet the following eligibility criteria:

- 1) The requesting employee must be eligible to accrue sick and/or annual leave to qualify as a recipient of transferred leave.
- 2) The requesting employee must have experienced a personal emergency. "Personal emergency" means a catastrophic and debilitating medical situation, severely complicated disabilities, severe accident cases, medical or family medical emergencies or other hardship situations likely to require an employee's absence from duty for a prolonged period of time and to result in a substantial loss of income to the employee because of the unavailability of paid leave. Routine disabilities or disabilities resulting from elective surgery do not qualify for leave transfers. A "prolonged period" as used in the definition of a personal emergency is generally interpreted to be a minimum of 30 work days. To qualify for leave pool leave, an employee must have been in leave without pay for at least 30 work days or documentation must certify that a medical emergency will result in an employee being in leave without pay for this length of time.
- 3) Employees who become eligible for other paid benefits for periods of absence from work will generally be considered ineligible for leave transfers. Examples of other paid benefits include but are not limited to workers compensation, long term disability, and disability retirement benefits.
- 4) An employee must have exhausted all earned sick and/or annual leave (as appropriate according to State Human Resources Regulations) prior to using approved transferred leave.
- 5) Unless the personal emergency involves a medical condition affecting the employee who is requesting leave from the leave pool, the Office of Human Resources may confer with the supervisor of the employee to consider the likely impact the employee's absence may have on morale and efficiency within the department.
- 6) Other criteria used to determine an employee's eligibility may include the employee's leave usage record, performance record, length of state service, or other relevant factors.

#### Requesting Leave from the Leave Pool

Employees who wish to request leave through the leave transfer program must submit a Leave Recipient Request form to the Office of Human Resources. The Office of Human Resources will review the employee's eligibility based on criteria established by the State Office of Human Resources and will make the determination to approve the request on a case-by-case basis in light of the justification and documentation presented by the employee.



Whether transferred leave may be applied retroactively and for what length of time will be determined on a case-by-case basis in light of the justification and documentation presented by the employee.

Winthrop's leave pool must have sufficient leave in the appropriate leave bank in order to consider an employee's request.

Leave taken under this program may qualify as FMLA leave and, if so, will run concurrently.

Eligible employees may request up to 30 work days from the leave pool. Leave from the leave pool will be granted in no more than 30 workday increments. Employees may request two extensions of leave pool leave (up to a maximum of 90 work days) for catastrophic personal emergency situations.

#### Termination of Personal Emergency

The personal emergency affecting a leave recipient terminates at the time the personal emergency no longer exists or when the leave recipient's employment with Winthrop University ends.

At the time the personal emergency terminates, the leave recipient will no longer be permitted to use any of the leave that had previously been transferred to the leave recipient's leave account. Any unused leave that was transferred from the leave pool to the recipient's leave account will be restored to the University's leave pool retroactive to the date the leave recipient's personal emergency terminated.

#### **4. Procedures:**

This section was intentionally left blank.

#### **5. Resources:**

This section was intentionally left blank.

#### **6. History of Revisions:**

08/10/2023      Policy first established



**7. Approvals:**

Responsible Officer Signature/Date:

Vice President/Senior Administrator Signature/Date:

President Signature/Date: