

**PERSONAL LEAVE DONATION PROGRAM**

Employees (donor employees) are authorized to transfer accrued personal leave days to designated employees (recipient employees) under the following conditions:

- A. A donor employee may transfer an unlimited number of accrued personal leave days to a spouse.
- B. A donor employee may transfer up to ten (10) days of accumulated personal leave days per year to a recipient employee who is not the spouse of the donor employee.
- C. All decisions to transfer accrued personal leave must be voluntary.
- D. A donor employee must designate the recipient employee.
- E. The recipient employee must be currently experiencing a "catastrophic medical emergency" (medical condition that incapacitates an employee or a member of the employee's immediate family for whom the employee will provide care, which medical condition is likely to require the prolonged absence of the employee from duty, and which will result in a substantial loss of income to the employee because the employee has exhausted all accrued personnel leave, including leave awarded by a leave bank, or who has exhausted all accrued personal leave and who is ineligible for an award of additional leave from a leave bank). The Superintendent, or the Superintendent's designee, shall be the sole judge upon the question of whether an employee is experiencing a "catastrophic medical emergency."
- F. The recipient employee must require additional personal leave as a result of a catastrophic medical emergency.
- G. Donated leave may not be used to qualify for or add to service for any retirement system administered by the State or to extend health insurance coverage provided by PEIA.
- H. Donated leave shall be deducted from a donor employee's accrued personal leave, but shall not be deducted from personal leave available for use without cause if sufficient general personal leave days are available for donation.
- I. Donated leave transferred to a recipient employee shall be credited on a day for day basis without regard to the hourly wage value of the leave.
- J. Donated leave transferred to a recipient employee that is unused following the end of a catastrophic medical emergency (the end of a catastrophic medical emergency may be occasioned by the death of a recipient employee) shall be returned to the donor employee. The Superintendent, or the Superintendent's designee, shall be the sole judge upon the question of whether a catastrophic medical emergency has ended. In the event the donor employee is no longer employed upon a determination

that a catastrophic medical emergency has ended, any unused donated leave shall be deducted from the recipient employee's accumulated personal leave.

K. An employee may not be coerced or compelled to contribute accumulated personal leave under the terms of this program.

L. A recipient employee is not eligible to receive donations of personal leave from other donor employee until the exhaustion of all donated personal leave.

M. A request to donate leave under this program must be submitted by completion of a form published for this purpose.

WV Code 18A-4-10f

ADOPTED: June 12, 2014