



BOISE STATE UNIVERSITY

University Policy 7220

Donated Leave

Effective Date

July 1998

Last Revision Date

December 14, 2022

Responsible Party

Human Resources, (208) 426-1616

Scope and Audience

This policy applies to all benefit-eligible University employees.

Additional Authority

- Idaho Code § 67-5334(2)(g)
 - Idaho Code §§ 59-1603(4), 59-1605(4), 59-1606(3)
 - Idaho State Board of Education Policy, Sections II.I., II.E.3., II.F.3, II.G.3.a.
 - University Policy 7260 (Faculty – Sick Leave)
 - University Policy 7620 (Time Away from Work)
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1. Policy Purpose

To describe the eligibility requirements for a State of Idaho employee to donate accrued vacation/annual leave or sick leave for use by another State of Idaho employee as paid sick leave, and to describe the acceptable use of such donated leave by the receiving employee.

2. Policy Statement

The University recognizes that, on occasion, an employee may exhaust their accrued leave due to their own, or a family member's serious illness or injury, or a death or funeral in the family. This policy allows, with approval, an employee to donate unused vacation/annual leave or sick leave for use by another employee as sick leave, allowing the receiving employee with a lack of accrued leave to benefit from donated leave.

3. Eligibility for Donating Leave

To donate leave, an employee must:

- a. Be eligible to accrue vacation/annual leave or sick leave
- b. Maintain a vacation/annual leave and sick leave balance of at least (80) hours each; and
- c. Transfer a minimum of four (4) hours, in four (4) hour increments, up to a maximum of eighty (80) hours donated per fiscal year.

4. Eligibility for Receiving Donated Leave

To receive donated leave, an employee must:

- a. Be eligible to accrue sick leave; and
- b. Have exhausted all accrued compensatory time, sick, and vacation/annual leave; and
- c. Be suffering from a serious illness or injury, have a family member with a serious illness or injury, or need to attend a death or funeral in the family necessitating the employee's absence from work. Family members are limited to: spouse, child, foster child, parent, brother, sister, grandparent, grandchild, including the same relation by marriage or legal guardian. For purposes of this policy, the definition of "serious illness or injury" is the equivalent of a "serious health condition" as defined by the Family and Medical Leave Act (FMLA): an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a healthcare provider. Medical certification or other documentation of the receiving employee may be required.

5. Limitations on Use of Donated Leave

- a. An employee may not receive more than one hundred sixty (160) hours of donated leave per fiscal year.
- b. Donated leave is only available for serious illness or injury and not for other unrelated medical and health reasons.
- c. To use donated leave for the employee's or family member's serious illness or injury, an employee's absence must be expected to exceed five (5) consecutive workdays of the employee's typical work schedule.
- d. If the employee's or family member's serious illness or injury necessitating the employee's absence from work qualifies for leave under the FMLA, the use of donated leave must run concurrent with the FMLA leave.
- e. If the employee's or family member's serious illness or injury necessitating the employee's absence from work qualifies for leave approved as a reasonable accommodation under the ADA, the use of donated leave will run concurrent with such leave.

6. Requesting to Receive or Donate Leave

- a. Employees in need of donated leave, or employees who wish to donate leave, should contact Human Resources and submit either a Shared Leave Request Form or Shared Leave Donation Form. These forms must be requested from Human Resources.
- b. The Shared Leave Request Form or Shared Leave Donation Form should be submitted to Human Resources two (2) weeks prior to the effective date of the donated leave transfer, except in the case of an emergency.
- c. Donated leave will not be transferred retroactively if the Shared Leave Request Form or Shared Leave Donation Form is received after the payroll processing deadline for the effective date.

7. Leave Conversion

Donated vacation/annual leave or sick leave will be converted to sick leave on a one-hour to one-hour basis and will be paid out at the receiving employee's current salary.

8. Fiscal Obligation

The organizational unit of the receiving employee will assume the financial responsibility for all donated leave used by the receiving employee.

9. Confidentiality and Recordkeeping

- a. The names of employees donating leave will be kept private, and in most cases, will not be provided to the employee who receives the donated leave. This confidentiality is intended to preclude any repercussions for employees who do not donate leave, as well as for those who choose to donate.
- b. The nature of the illness or injury causing the employee to request and receive donated leave will also be kept private. This information will not be shared with other employees who are being asked to donate leave without the express written permission of the employee requesting donated leave.
- c. All records and requests to receive or transfer donated leave will be maintained by Human Resources and will be kept separate from the employee's personnel file.

10. Forms

Donated Leave Request Form

Contact Human Resources at (208) 426-1616 for this form.

Donated Leave Donation Form

Contact Human Resources at (208) 426-1616 for this form.

11. Related Information

Payroll Processing Calendar

<https://www.boisestate.edu/payroll/payroll-and-holiday-calendars/>

University Policy 7230 (Family and Medical Leave)

University Policy 7260 (Faculty Sick Leave)

University Policy 7610 (Paid Parental Leave)

University Policy 7620 (Time Away from Work)

Revision History

April 2010; January 22, 2021; July 01, 2021; December 14, 2022