



BOISE STATE UNIVERSITY

University Policy 7220

Donated Leave

Effective Date

July 1998

Last Revision Date

January 03, 2025

Responsible Party

Human Resources and Workforce Strategy, (208) 426-1616

Scope and Audience

This policy applies to all benefit-eligible University employees.

Additional Authority

- Idaho Code § 67-5334(2)(g) (Vacation Time)
- Idaho Code § 59-1603(4) (Conformity with Classified Positions)
- Idaho Code § 59-1605(4) (Sick Leave Computation)
- Idaho Code § 59-1606(3) (Vacation Time)
- Idaho State Board of Education Policy, Section II.I. (Leaves - All Employees)
- Idaho State Board of Education Policy, Section II.E.3. (Policies Regarding Classified Employees - Annual Leave)
- Idaho State Board of Education Policy, Section II.F.3. (Policies Regarding Nonclassified Employees - Annual Leave)
- Idaho State Board of Education Policy, Section II.G.3.a. (Policies Regarding Faculty - Annual Leave)
- 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 Health Condition 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. Definitions

3.1 Serious Health Condition

For purposes of this policy, a Serious Health Condition is an illness, injury, impairment, or physical or mental condition as defined by the Family and Medical Leave Act (FMLA)(see University Policy 7230 – Family and Medical Leave).

4. Eligibility for Donating Leave per Fiscal Year

An employee may donate vacation/annual leave and/or sick leave. For each donation request, an employee:

- a. Must be eligible to accrue vacation/annual leave or sick leave
- b. May only donate if their sick or vacation leave balance exceeds eighty (80) hours
- c. Must maintain a vacation/annual leave and sick leave balance of at least (80) hours each
- d. Must donate a minimum of four (4) hours in four (4) hour increments; and
- e. May not donate more than eighty (80) hours of vacation/annual leave and sick leave combined per fiscal year.

5. Eligibility for Receiving Donated Leave per Fiscal Year

To receive donated leave, an employee must:

- a. Be eligible to accrue sick leave; and
- b. Have exhausted all accrued leave balances; and
- c. Be suffering from a Serious Health Condition, have a family member with a Serious Health Condition, or 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, or grandchild, including the same relation by marriage or legal guardian. For purposes of this policy, the definition of "serious illness or disability" is an illness, injury, impairment, or physical or mental condition as defined by the Family and Medical Leave Act (FMLA)(see University Policy 7230 (Family and Medical Leave). Medical certification or other documentation may be required to support the request.

6. Limitations on Use of Donated Leave

- a. An employee may not receive more than one hundred sixty (160) hours of donated leave (vacation and sick leave combined) per fiscal year.
- b. Donated leave is only available for a death or funeral in the family or a Serious Health Condition as defined by the Family and Medical Leave Act (FMLA) and not for other unrelated medical and health reasons.
- c. To use donated leave for the employee's or family member's Serious Health Condition, 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 Health Condition necessitating the employee's absence from work qualifies for leave under the FMLA, the use of donated leave must run concurrently with the FMLA leave.
- e. If the employee's or family member's Serious Health Condition 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 concurrently with such leave.

7. 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 Workforce Strategy and submit either a Shared Leave Request Form or Shared Leave Donation Form. These forms must be requested from Human Resources and Workforce Strategy.
- b. The Shared Leave Request Form or Shared Leave Donation Form should be submitted to Human Resources and Workforce Strategy two (2) weeks prior to the effective date of the donated leave transfer, except in the case of an emergency.
- c. Up to the hourly cap outlined in section 5.a., there is no limit to the number of times an employee may request donated leave so long as the employee meets the eligibility requirements.
- d. Employees must choose sick or vacation leave for each donation and cannot donate sick and vacation on a single request.
- e. If the amount of leave needed is known, the requesting employee should request only enough hours to cover the leave or one pay period at a time.
- f. An employee may not request or receive donated leave within their first two (2) weeks (or first pay period of employment).
- g. 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.

8. 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.

9. Fiscal Obligation

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

10. Confidentiality and Recordkeeping

- a. The names of employees donating leave will be kept private and 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 and those who choose to donate.
- b. The underlying reason for the employee's donated leave request will be kept private. Such information will not be shared with other employees being asked to donate leave.
- c. All records and requests to receive or transfer donated leave will be maintained by Human Resources and Workforce Strategy and will be kept separate from the employee's personnel file (see University Policy 7530 – Employee Files).

11. Forms

Donated Leave Request Form

Request form by emailing hrs@boisestate.edu

Donated Leave Donation Form

Request form by emailing hrs@boisestate.edu

12. 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; January 03, 2025