Policy 3511

From Human Resources

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PERSONNEL POLICY MANUAL
MoDOT Personnel Policy Title: ShareLeave Program **Policy Number**: 3511 **Chapter Title**: Leaves of Absence **Effective Date**: September 1, 2012 **Supersedes Policy Number**: 3511 **Dated**: December 1, 2006
Approved By: Micki Knudsen, Human Resources Director (Signature on file)

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POLICY STATEMENT

The department has established a ShareLeave Program to provide additional paid sick leave to eligible employees who have exhausted all of their accrued leave time due to an illness or injury (personal or immediate family) which is life threatening, catastrophic, or resulting in a potentially permanent disability. This program will be available to salaried (full-time) and permanent part-time employees (not seasonal, summer, or emergency) of the department as described in this policy.

DEFINITIONS

Employee Pool: Defined as a single department-wide pool, which receives voluntary contributions of annual leave (vacation) or compensatory time from salaried and permanent part-time employees and converts them into sick leave credits to be used by eligible salaried and permanent part-time employees on behalf of themselves.

Family Pool: Defined as a single department-wide pool, which receives voluntary contributions of annual leave (vacation) or compensatory time from salaried and permanent part-time employees and converts them into sick leave credits to be used by eligible salaried and permanent part-time employees on behalf of covered family members.

PROVISIONS/REQUIREMENTS

1. The "ShareLeave Committee" is a statewide committee, which is responsible for administering the ShareLeave Program. This committee has five members who are appointed by the department director or his designee. Members are appointed from various teams and locations throughout the department.

2. Donation of Annual Leave (Vacation) or Compensatory Time

The program is based on a "pool" concept, rather than donations to a specific department employee. Any salaried or permanent part-time employee is eligible to donate annual leave (vacation) or compensatory (comp) time to the Employee Pool or the Family Pool subject to the following conditions:

A. Annual leave (vacation) or comp time donations must be in 15-minute increments, with the exception of automatic donations of time in excess of the maximum allowable accumulation;

B. Donations may not be designated for a specific department employee or an employee's family member;

C. Donations will be converted to sick leave credits on an hour-for-hour basis; and

D. Donations made cannot subsequently be returned to the employee who made the donations.

Employees may donate to either pool or both by submitting a ShareLeave One-Time Donation Form to their supervisor. Supervisors should submit the completed forms as soon as possible in order for the leave time to be made available to the respective pool the following pay period. Employees may also elect to donate a specified number of hours to either pool, or both, each month by submitting a ShareLeave Monthly Re-Occurring Donation Form. Donations will be processed on the last day of the month.

3. Lost Annual Leave or Comp Time

In addition to employee donations of annual leave or comp time as described in paragraph 2, “lost” annual leave or comp time may also be donated to ShareLeave. Lost annual leave occurs when an employee’s annual leave balance exceeds the maximum permissible accumulation at the end of each 12-month period of November 1 through October 31 each year. See Personnel Policy 3001, “Annual Leave,” for accumulation limits. Lost comp time occurs when an exempt employee who earns comp time has the maximum comp time balance of 240 hours, and works additional overtime during a pay period. Unless an employee indicates on the ShareLeave Automatic Donation Exemption Form that he/she does not want to donate lost annual leave or comp time, such time will be automatically donated.

4. Eligibility to Make Withdrawals From ShareLeave Pools

A. Any salaried or permanent part-time employee who is not on probationary status (initial six-month or disciplinary probation) is considered eligible to receive additional sick leave provided the following conditions are met:

1) The employee must have experienced an illness or injury which is life threatening, catastrophic, or resulting in a potentially permanent disability. The illness or injury must be of an extended duration where it is anticipated the employee will not be able to return to work for at least three months. The illness or injury does not have to be job related.

2) To receive family ShareLeave a member of the employee's immediate household must have experienced an illness or injury which is life threatening, catastrophic, or resulting in a potentially permanent disability. A member of an employee's immediate household includes a spouse or unemancipated child who resides in the employee's home. Under this personnel policy, an unemancipated child means a biological or adopted child, or a stepchild, who (at any age) is under the employee's care, custody, and control.

B. The employee must have exhausted all of his/her accumulated leave time (sick leave, annual leave, and comp time) before being eligible to withdraw from either pool.

C. The employee must have exhausted all workers' compensation lost time benefits (if applicable) before being eligible to withdraw from the Employee Pool.

D. The employee cannot receive ShareLeave benefits while receiving disability benefits.

E. The employee is not required to have previously contributed to either pool to be eligible to receive ShareLeave.

F. The maximum amount of time an employee may receive is 504 hours per qualifying illness or injury.

5. Application to Make Withdrawals From ShareLeave Pools

Employees (or a designated representative) may request sick leave from the respective pool by submitting a ShareLeave Request Form to their respective district engineer or division director/state engineer. A doctor's statement describing the illness or injury must accompany the request and must include the diagnosis of the illness or injury, and a prognosis. A medical certification stating why the employee's absence is required for the personal attention and care of the immediate family member must also accompany requests for sick leave from the Family Pool.

6. Responsibilities Related to ShareLeave Request

A. ShareLeave Committee Responsibilities:

1) Reviewing ShareLeave requests to verify whether or not employees meet the eligibility requirements for receiving benefits, as provided in paragraph 4.

2) Approving or disapproving each request based on eligibility requirements, and notifying the Financial Services Division-Payroll, the appropriate supervisor/manager, and each employee accordingly.

3) Monitoring the ShareLeave pools' balances to determine the amount of sick leave eligible employees will receive as established in paragraph 7.

4) Issuing interpretations and clarifications of the program.

5) Recommending personnel policy changes to the Human Resources Director.

6) Keeping the Customer Relations Division informed of ShareLeave activities.

B. Supervisor/Manager Responsibilities:

1) Ensuring the employee is not on probationary status.

2) Securing adequate medical documentation from the employee, including medical diagnosis and prognosis, which justifies that the illness is life threatening, catastrophic, or could potentially result in a permanent disability.

3) Ensuring the employee has exhausted all accumulated leave time, and (if applicable) workers' compensation lost time benefits. Also, if applicable, contact

should be made with the retirement board to learn the status of the employee's request to receive disability benefits from the retirement system.

4) Forwarding each ShareLeave request form and supporting documentation to the Financial Services Division-Payroll along with a recommendation as to whether or not the employee meets the above eligibility requirements.

5) Notifying the Financial Services Division-Payroll immediately upon becoming aware when a leave recipient's medical emergency terminates.

C. Financial Services Division-Payroll's Responsibilities:

1) Maintaining appropriate leave records for donors and recipients.

2) Verifying an employee has exhausted all allowable leave time and (if applicable) workers' compensation lost time benefits.

3) Keeping records of the pools' balances.

4) Forwarding ShareLeave request forms to the ShareLeave Committee.

D. Customer Relations Division's Responsibilities:

1) Assisting the ShareLeave Committee with ShareLeave correspondence.

2) Preparing employee communications regarding the ShareLeave Program.

7. Awarding of ShareLeave Benefits

In those cases where an employee is eligible to receive benefits, the payment of benefits will be handled as follows:

A. The amount of sick leave an employee is eligible to receive will be based on the doctor's statement, which contains the medical diagnosis and prognosis. The maximum amount of sick leave an employee may receive is 504 hours per qualifying illness or injury. The amount of sick leave an employee is eligible to receive for an immediate family member will be issued in 168-hour increments, not to exceed 504 hours per qualifying family illness or injury.

B. The amount of sick leave to be granted will be determined on a month-by-month basis and is dependent upon the pools' balances and the number of eligible recipients. Each recipient will receive a proportionate share of sick leave each month, provided it does not exceed the amount he/she is eligible to receive.

C. If the pools' balances cannot accommodate the amount an employee is eligible to receive, the balance will be carried over to subsequent months. An employee will continue to receive additional sick leave each succeeding month until he/she reaches the amount for which he/she is eligible, provided he/she is still experiencing the qualifying illness or

injury. The Employee Pool can draw hours from the Family Pool if the balance is insufficient; but, the Family Pool cannot draw hours from the Employee Pool.

D. The ShareLeave Committee has the right to require an updated medical statement from an employee on an as-needed basis. When requested, these statements must be submitted immediately for continued eligibility.

E. Any amount of sick leave granted, but not needed, will be returned to the respective pool.

F. An employee may accrue annual leave, sick leave, or holiday credits while using donated leave; however, annual leave and sick leave credits will be used during the next pay period before ShareLeave credits are used.

G. An employee who uses sick leave from either pool is not required to pay back any sick leave received.

CROSS REFERENCE

Personnel Policy 3001, “Annual Leave”

FORMS

ShareLeave One-Time Donation Form (http://wwwi/intranet/shareleave/forms.htm)

ShareLeave Monthly Re-Occurring Donation Form (http://wwwi/intranet/shareleave/forms.htm)

ShareLeave Automatic Donation Exemption Form (http://wwwi/intranet/shareleave/forms.htm)

ShareLeave Request Form (http://wwwi/intranet/shareleave/forms.htm)

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