

HR5027 - Sick Leave Transfer Between Employees

POLICIES

Issued: June 14, 2017

Responsible Official: Executive Vice President and Chief Operating
and Financial Officer

Responsible Office: Human Resources

Policy Statement

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University of Memphis employees may, under specified conditions, transfer some of their own sick leave hours to a Sick Leave Bank member who has exhausted all other sources of paid sick leave hours and continues to experience a disability due to illness or injury.

Purpose

To establish guidelines, eligibility, and procedures for the transfer of accumulated sick leave from one employee to another.

Procedures

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Eligibility to Receive Donated Leave

To receive sick leave donated by another University employee, the recipient must meet all the following criteria:

- Be a member of the Faculty or Staff Sick Leave Bank
- Employee must use his/her own accrued sick and annual leave and made application through the applicable sick leave bank
- Have exhausted the maximum 90 days of sick leave bank hours within a twelve-month period.
- Have a continuing disability resulting from personal illness or injury and be unable to perform University job duties
- Not be receiving other forms of compensation including disability benefits from Social Security, a sponsored long-term disability insurance plan, benefits from the State Division of

Claims Administration (Workers' Compensation), or compensation through the State Retirement Plan.

Before an employee is eligible to receive donated leave, the employee's attending physician must provide documentation attesting to the employee's continued disability due to personal illness or injury and to the employee's inability to work. Upon receipt of such medical certification, the employee is eligible to receive up to 20 days of leave for which he/she would otherwise be without pay including holidays. Eligibility for additional increments of 20 working days may be based on current medical certification of the continuing disability. The maximum amount that may be transferred to an employee is limited to 90 days for which the employee would otherwise not be paid as stated above.

Eligibility for additional increments of 150.0 hours (20 days) would be contingent on updated medical certification of the continuing disability. The maximum amount that may be transferred to an employee from one or more donors is 675.0 hours (90 days) for which the employee would otherwise not be paid, as stated above. Recipients shall continue to accrue leave and service credit while using donated leave time.

Criteria for Donating Leave

Personal sick leave may be donated by an employee who meets the following conditions:

- Has a current sick leave balance of at least 150.0 hours * (20 sick leave days)
- Donates a minimum of 37.5 hours*(5 days)
- Donates no more than 675.0* hours (90 days) during his/her employment with the University
- Has not donated more than one-half of his/her available leave balance at the time of the initial transfer.

An employee may donate more than one time to the same employee; however, the employee may not donate more than one-half of the leave balance in effect at the time of the initial transfer. Example: An employee with a leave balance of 200 hours may only donate 100 hours. If the recipient only used 75 hours during the first occurrence, the donor could only give that same recipient a total of 25 hours later.

*Prorated for regular part-time employees according to percentage of leave accrual.

Donation of Leave

The donor must complete the Sick Leave Donation Agreement Form stating the name of the recipient and the amount of leave being donated. The form must be signed and witnessed by two University employees. The completed form is submitted to the Benefits Office in the Department of Human Resources.

Before approving the transfer, the Benefits Office will verify that (1) the recipient is a member of a Sick Leave Bank; (2) the recipient has provided current certification from a health care provider that he/she continues to be unable to work; (3) the donor has sufficient sick leave to cover the donation, and (4) the amount being donated does not exceed one-half the donor's current balance.

The Benefits Office will also record the date and time the donor forms are received in the Benefits Office. This will determine the order in which sick leave will be deducted from the donor's sick leave balance when there are multiple donors for a single individual. The recipient's department will be notified of the amount of leave that has been donated. If the donor has insufficient leave to cover the amount originally donated, the leave donation agreement will be voided. The value of the donated leave will be based on the recipient's established rate of pay.

Only the amount of leave sufficient to cover each pay period will be transferred at any given time. Sick leave may not be transferred retroactively beyond one pay period. Donated sick leave that was not used by the recipient will be transferred to the general account of the applicable Sick Leave Bank. If the donor terminates employment, retires, transfers to another state institution or state agency, dies, or has an insufficient leave balance to meet eligibility criteria, all responsibility to donate leave is voided.

Voluntary Condition of Donation

The decision to donate sick leave to another individual should be a choice made freely by each employee. Any person attempting to unduly influence an employee to donate leave shall be subject to disciplinary action, and any prior agreement made to donate leave under those conditions shall be voided.

Related Forms

Sick Leave Donation Agreement

<http://www.memphis.edu/benefits/pdf/donate.pdf>

FAQs

Who do I contact for further information?

University Benefits Administration Office at benefits@memphis.edu.

Revision Dates

HR5027 - Supersedes UM1574 March 28, 2018

UM1574 - Revised June 14, 2017
UM1574 - Issued June 9, 2004
(Supersedes procedure number 2D:05:01L)

Subject Areas:

Academic	Finance	General	Human Resources	Information Technology	Research	Student Affairs
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