



Georgia Department of Education

Policies and Procedures

Policy Title:	<i>Leave Donation, State Schools</i>		
Policy Number:	<i>SS-1001 Descriptor Code-GBRIG</i>		
Release Date:	<i>09-01-02</i>	Last Revised:	<i>08-27-03</i>

Purpose

To describe how and when Georgia Department of Education (DOE) State School employees may solicit leave from and/or donate leave to other DOE employees.

Applicability

This policy applies to all full-time classified and unclassified employees of the State Schools.

Definitions

Recipient: An eligible Georgia Department of Education employee who has been authorized to solicit donations of leave from other Georgia Department of Education employees.

Donor: An eligible Georgia Department of Education employee who has elected to donate leave to another DOE employee.

Policy

Georgia Department of Education (DOE) State School employees may voluntarily donate leave to another DOE employee(s). A recipient of donated leave may use the leave for absence due to personal illness or disability or illness or disability of an immediate family member, which requires the employee's presence. The following conditions apply:

1. The State Superintendent of Schools (or designee) must approve the request for solicitation and the number of hours to be solicited prior to solicitation or use of donated leave.
2. Donors and recipients must have been continuously employed no less than 12 months in a state agency in a position(s) entitled to earn leave.
3. To be eligible to receive donated leave, recipients must have exhausted all available accrued and forfeited leave and have been on authorized leave without pay for at least 80 consecutive work

- hours. If a recipient has a chronic medical condition such as kidney disease (requiring dialysis or chemotherapy treatment), the employee must be on leave without pay for 80 consecutive work hours *once* for such a condition.
4. Recipients may not receive more than 520 hours of donated leave per solicitation. Multiple solicitations are allowed but recipients cannot be credited with more than 1040 hours of donated leave in any consecutive two calendar years.
 5. Recipients may continue to accrue annual and sick leave. This newly accrued leave must be used prior to the use of donated leave.
 6. Employees may not solicit leave donations for medical conditions resulting from the following:
 - a. Any occupationally related accident or illness which is compensable under Workers' Compensation Law.
 - b. Disability incurred in the course of committing a felony or assault.
 7. Employees are ineligible to use donated leave in the following situations:
 - a. During periods of eligibility for disability insurance benefits.
 - b. When employee is under disciplinary action for leave abuse/misuse in the 12-month period preceding the request.
 - c. During any periods of disciplinary suspension.
 8. Donors may contribute any amount of annual and personal leave and not more than 120 hours of sick leave per calendar year. Forfeited leave cannot be donated.
 9. Donors of annual leave must have a balance of no less than 60 hours of annual leave *after* donation. Likewise, donors of sick leave must have a balance of no less than 60 hours of sick leave *after* donation.
 10. Donors shall be anonymous to recipients.
 11. Employees in the classified service are subject to State Personnel Board Rule 30 regarding leave donation.
 12. No employee shall threaten, coerce, or attempt to threaten or coerce another employee for the purpose of interfering with rights involving the donation, receipt, or use of leave. Such prohibited acts shall include, but are not limited to, promising to confer or
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conferring a benefit such as appointment, promotion, or salary increase, or making a threat to engage in or engaging in an act of retaliation against an employee. Any such violation shall be considered to be misconduct and shall be subject to disciplinary action up to and including dismissal.

Procedures

1. No more than 40 days prior to entering leave without pay status, the recipient must request solicitation of donated leave with “Request for Solicitation of Donated Leave” and “Certificate of Health Care Provider” forms. The request must include a specific statement of the medical problem, medical certification from a physician or licensed health care provider including the projected period of absence, and the employee’s (or designee’s) signature. The request should be sent to the State School’s Human Resources office.
2. After the State School’s Human Resources office reviews the request for completeness and compliance to this policy, the request will be forwarded to the DOE Human Resources office. The Director of DOE Human Resources will forward the request for solicitation and the number of hours to be solicited to the State Superintendent of Schools (or designee) for approval/denial.
3. When the request and number of hours are approved/denied, the DOE Human Resources office will notify the employee requesting solicitation of donated leave. If approved, the Director of DOE Human Resources will discuss the content of the solicitation notice with the employee. Before the notice is posted, the employee or designee must sign a release that the notice is satisfactory.
4. The DOE Human Resources office will circulate the solicitation notice to Department employees (via e-mail and bulletin board postings).
5. Georgia Department of Education employees wishing to donate leave must notify the DOE Human Resources office in writing. The request will be time/date stamped in order received.
6. The Human Resources office will maintain a record of all donors. When the maximum approved hours are donated/received, subsequently received donation forms will be returned to donors.
7. The Human Resources office will transfer donated leave to the recipient each pay period as needed. Donated leave will be used as sick leave by the recipient. If provided by multiple donors, donated leave will be transferred to the recipient in the order received.

8. Any unused donated leave will be returned to donor(s) when recipient returns to work.

**Authority and/or
Cross-Reference**

- DOE *General Leave* (B-1001) Policy
- DOE *Leave Donation* Policy (B-1006)
- State Personnel Board Rule 18
- State Personnel Board Rule 30