

Effective: December 10, 2021

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Cancels: March 20, 2017

## POLICY-HR-3501

See Also: RCW 41.40; Human Resources Rules; ATU Agreement;  
IAM Agreement; Family Medical Leave Act; Policy HR-3504;  
Procedure HR-3501; Form HR-3501-A; Form HR-3501-B;

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### **REQUESTING, DONATING AND RECEIVING SHARED LEAVE**

#### **Definitions:**

“Eligible employee” - an employee who completed an initial introductory or probationary period. Temporary employees are NOT eligible for Shared Leave.

“Child” - family member or person for whom the employee is a custodial parent or considered in loco parentis who is nineteen (19) years of age or under younger, or any age if incapable of self-support.

“Shared Leave” - voluntarily donated vacation leave to an eligible employee unable to work due to his/her extended serious illness or injury or due to the employee’s spouse’s or child’s serious illness or injury.

“Serious illness or injury” - a serious health condition as defined in the Family Medical Leave Act (FMLA).

This policy applies whenever an “eligible employee” requests to donate or receive “Shared Leave.”

#### **1. Eligible Employees May Request Shared Leave Under Certain Conditions**

Eligible employees may request a maximum of 40 hours of Shared Leave when:

- They, their spouse, registered domestic partner, or child is suffering from a serious illness or injury that causes the employee to take leave without pay; and
- They exhaust all paid time off (sick leave, vacation leave, comp-time), in accordance with the rules, policies, and labor agreement; and
- They provide doctor certification documents to the Employer with the request for Shared Leave; and
- They are NOT eligible to receive worker’s compensation benefits, unemployment insurance benefits, or other disability benefits (including voluntary employee-paid disability benefits) for the period of requesting Shared Leave.

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### **2. Human Resources Processes and Approves Shared Leave Requests**

Employees must submit requests for Shared Leave to Human Resources. Human Resources reviews for eligibility all requests for Shared Leave. If employee meets all criteria, Human Resources will immediately announce the request for Shared Leave by email. The announcement date is the date of approval. Shared Leave donations will be accepted for two weeks after announcement date.

Employees donating vacation leave must complete a donation form and submit it to Payroll before the requesting employee may use the leave.

### **3. Employees May Voluntarily Donate Vacation Leave**

All vacation leave donations are strictly voluntary.

Eligible employees may donate shared leave if:

- The employee donates hours to an approved recipient, and
- The employee accrues the donated hours prior to the time of the donation. Employee can NOT donate vacation leave in the same pay period in which employee earns it, and
- The employee will NOT donate an amount resulting in their vacation leave balance of less than forty (40) hours.

An employee gives up all benefits from vacation leave donated as Shared Leave. This includes service credit or any compensation determination pursuant to RCW 41.40 Washington Public Employees' Retirement System.

Donated leave will be calculated using the donating employee's hourly base pay rate.

### **4. Parameters Applied To Shared Leave Requests and Donations**

When receiving Shared Leave hours, the employee will receive pay for their regularly assigned work schedule and at their regular hourly rate of pay.

An employee receives Shared Leave in the order of receipt.

An employee may receive up to 40 hours of Shared Leave per calendar year.

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Employees will NOT solicit, offer, or receive monetary or other compensation or benefits in exchange for donating vacation leave hours.

### **5. Restrictions Applied to the Use of Shared Leave**

Employees using Shared Leave will continue their eligibility for benefits (healthcare, leave accruals) in accordance with Intercity Transit's Policies and Rules based on the number of paid leave hours. Shared Leave will run concurrently with FMLA hours.

Shared Leave hours will NOT extend a medical leave of absence otherwise designated as leave without pay.

### **6. Shared Leave Terminates Under Certain Circumstances**

Shared Leave shall terminate if:

- The employee no longer meets the criteria for receiving Shared Leave under section 1, or
- The employee receives the maximum allowed donated hours.

### **7. Leave Donations Remain Confidential**

The name of the employee and the amount of leave hours donated remain confidential.