

**NORTH CENTRAL EDUCATIONAL SERVICE DISTRICT
ADMINISTRATIVE PROCEDURE**

No. 5360 P1

LEAVE SHARING PROCEDURES

DEFINITIONS:

State Employee – Any employee of Washington State government including, but not limited to, employees of school districts and educational service districts who are entitled to accrue sick leave or annual leave and for whom accurate leave records are maintained.

Shared leave - donated leave converted to hours at the recipient's rate of pay.

Relative - the employee's spouse, registered domestic partner, child, grandchild, parent, grandparent, sibling, or other close relative by blood or marriage.

Household Members - those persons who reside in the same home as a family unit, including foster children and legal wards even if they do not live in the household.

Extraordinary or severe - serious or extreme and/or life threatening

A. Eligibility to Request Shared Leave

A NCESD employee may be eligible to receive shared leave if one or more of the following circumstances has caused, or is likely to cause, the employee to take a leave without pay or terminate his or her employment:

1. The employee suffers from, or has a relative or household member suffering from an illness, injury, impairment or physical or mental condition which is of an extraordinary or severe nature;
2. The employee has been called to service in the uniformed services;
3. A state of emergency has been declared anywhere within the United States by the federal or any state government and the employee has needed skills to assist in responding to the emergency or its aftermath and volunteers his or her services;
4. The employee is a victim of domestic violence, sexual assault, or stalking;
5. The employee needs the time for parental leave;
6. The employee is sick or temporarily disabled because of pregnancy disability.

In addition to qualifying under one of the circumstances listed above, the employee must also meet all the following criteria:

1. The employee's absence and the use of shared leave are justified;
2. The employee's job is one in which vacation and/or sick leave can be used or accrued;
3. The employee has depleted, or will shortly deplete, his/her annual leave and/or sick leave reserves. Exception: employees requesting shared leave due to parental leave or pregnancy disability may maintain up to forty hours of annual leave and forty hours of sick leave in reserve.

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4. The employee has abided by NCESD procedures regarding sick leave use;
5. The employee has diligently pursued and been found to be ineligible to receive time loss compensation under 51.32 RCW; and
6. The employee's absence and the use of shared leave are supported by documentation.

B. Shared Leave Request Process

Shared leave requires prior approval. Any employee who wishes to receive shared leave must submit a written request for shared leave to the Executive Director Human Resources containing the following information:

1. The specific condition or circumstance requiring the employee to be on leave,
2. The estimated duration of the condition or circumstance requiring the leave,
3. A statement that the employee has depleted, or will shortly deplete, his/her annual leave and sick leave reserves,
4. A statement confirming that the employee is ineligible to receive time loss compensation, and
5. A statement that the employee will need to take leave without pay or terminate his/her employment if he/she does not receive donated leave.

The Executive Director Human Resources will require the employee or his/her legal representative to submit, prior to approval or disapproval, documentation verifying the condition or circumstance requiring the leave and expected duration of the condition or circumstance.

If the recipient continues to need shared leave after a 12-month period, a new request for shared leave must be submitted.

Approval: The Executive Director Human Resources shall determine if the employee's absence and the use of shared leave are justified. The Superintendent shall determine the amount of leave, if any, which an employee may receive under this policy and procedure not to exceed five hundred twenty-two (522) days of leave.

C. Donation of Leave

Leave sharing is to be on a strictly voluntary basis.

NCESD employees may donate leave to a NCESD employee or other qualified state employee as follows:

1. **Donation of annual leave:** employees may donate annual leave if this does not cause their annual leave balance to fall below ten (10) days or 80 hours after the transfer.

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2. **Donation of sick leave:** Employees may donate sick leave provided the donation does not cause their sick leave balances to fall below twenty-two (22) days or 176 hours after the transfer.
3. Leave shall be calculated on a day-donated and day-received basis.
4. Leave transferred under this policy may not exceed the requested amount.
5. The number of leave days transferred shall not exceed the amount authorized by the donating employee.

UNUSED SHARED LEAVE

Shared leave will be considered ended and unused leave returned to the donor(s) when any one of the following events occurs:

1. When the NCESD Human Resources Director determines (i.e. receives a statement from the employee's doctor indicating the cause of the leave is resolved; the employee is released to full-time employment; the employee has not received medical treatment for his/her current conditions in six months) the leave is no longer needed or will not be needed at a future time in connection with the same basis of the request; or
2. When the recipient voluntarily stops using the shared leave and instructs the reversion of the remaining shared leave balance; or
3. When the recipient is unable to use the remaining shared leave (i.e. the employee terminates employment).

To the extent administratively feasible, leave transferred by more than one employee shall be returned on a pro-rata basis based on the original donated value and returned at its original donor value and reinstated to each donor's vacation or sick leave balance.

If a shared leave account is closed and an employee later has a need to use shared leave due to the same condition listed in the closed account, a new shared leave request must be submitted for approval. While an employee is on leave transferred under this policy and procedure, he or she shall continue to be classified as a NCESD employee and shall receive the same treatment in respect to salary, wages, and employee benefits as the employee would normally receive if using accrued annual leave or sick leave.

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