

5.31 Voluntary Shared Leave

Last Revised: March 2025

Policy: Piedmont Community College (PCC) provides an opportunity for state employees to assist one another by allowing for the transfer or donation of leave for medical emergencies that would otherwise force the employee to be placed on leave without pay.

Purpose/Definitions:

Purpose

This policy is designed to outline procedures that allow for the transfer of leave from one state employee to another.

Definitions

Immediate family member—includes, but not limited to, spouse, parents, siblings, children, brother/sister-in-law, son/daughter-in-law, mother/father-in-law, grandparents, grandchildren, step-children, step-parent, and step-siblings.

Non-Qualifying Medical Conditions—medical conditions or illnesses that are considered to be routine, short-term, or sporadic shall not be considered for voluntary shared leave purposes. This would include such things as short-term recurrences of chronic allergies or conditions; short-term absences due to contagious diseases; or short-term recurring medical or therapeutic treatments that are common, expected, or anticipated as determined by the College President or their designee. This would also include recurring headaches, sinus infections, bronchitis, or similar short-term medical conditions. These examples are illustrative, not all inclusive. Each case must be examined and decided based on its conformity to the intent of this policy and must be applied consistently and equitably.

Prolonged Medical Condition—medical condition that is likely to require an employee's absence from duty for a period of at least 20 consecutive workdays.

Approval Authority/Monitoring Authority: Piedmont Community College's Board of Trustees has approval authority for this policy. The Vice President, Administrative Services/CFO has monitoring authority.

Procedure:

Section 1: General Provisions

- 1.1. An employee may donate leave to an employee who has been approved to receive voluntary shared leave because of a medical condition of the employee or of a member of the employee's immediate family that will require the employee's absence for a prolonged period of time.
- 1.2. If an employee has had previous absences for the same condition that has caused the employee to not have enough leave to cover the new need for leave, or if the employee has had a previous, but different, prolonged medical condition within the last twelve (12) months, an exception to the 20-day period may be made.
- 1.3. The Voluntary Shared Leave Policy is the only means by which leave may be shared or transferred among employees.
 - 1.3.1. The policy prohibits the banking of leave or the establishment of a leave "bank" for use by unnamed employees.
 - 1.3.1.1. Leave must be solicited as the need occurs and on an individual basis.
- 1.4. The Voluntary Shared Leave Policy permits the sharing of leave only in instances of a prolonged medical condition.
 - 1.4.1. Leave may be transferred from the annual leave account of another employee, from the sick leave or annual account of an immediate family member.
 - 1.4.2. A community college employee may donate up to 40 hours of sick leave to a non-immediate family member employee of a community college.
 - 1.4.2.1. The combined total of sick leave donated to a recipient from non-immediate family member donors shall not exceed 160 hours per year as defined by local college policy.
 - 1.4.2.2. Donated sick leave shall not be used for retirement purposes.
 - 1.4.3. Employees who donate sick leave shall be notified in writing of the State retirement credit consequences of donating sick leave.
 - 1.4.4. If an employee has had previous absences for the same condition that has caused the employee to not have enough leave to cover the new need for leave, or if the employee has had a previous, but different, prolonged medical

condition within the last twelve (12) months, an exception to the 20-day period may be made.

- 1.5. An employee may not directly or indirectly intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce, any other employee for the purpose of interfering with any right which such employee may have with respect to donating, receiving, or using leave under this program.

- 1.5.1. Such action by an employee shall be grounds for disciplinary action up to and including dismissal on the basis of personal conduct.

- 1.6. Leave records are confidential and only individual employees may reveal their donation or receipt of leave.

- 1.6.1. Recipients of voluntary shared leave shall not have access to information about individuals who donated leave unless the donor gives permission to do so on the Voluntary Shared Leave Donation form (from Human Resources and Organizational Development (HROD)).

- 1.7. The employee donating leave cannot receive remuneration for the leave donated.

Section 2: Eligibility

- 2.1. To donate or request voluntary shared leave, the employee must earn benefits with the College including sick and annual leave.

- 2.2. To request voluntary shared leave, the Voluntary Shared Leave Request must be submitted, which also HROD to solicit leave on the employee's behalf.

- 2.2.1. Employees may be nominated by a colleague to participate in the program.

- 2.2.2. A recipient shall produce medical evidence to support the need for leave beyond the available accumulated leave.

- 2.2.2.1. Documentation from a physician must specifically state the nature of the illness and the anticipated length of disability, with a projected return to work date.

- 2.3. The employee qualifies for participating in the program after exhausting all accumulated (i.e., sick, annual, bonus and compensatory) leave from their own personal account.

- 2.4. An employee who has a medical condition and who receives benefits from the Disability Income Plan of North Carolina (DIPNC) is not eligible to participate in the voluntary shared leave program.
 - 2.4.1. Voluntary shared leave, however, may be used during the required 60-day waiting period and following the waiting period provided DIPNC benefits have not begun.
- 2.5. An employee on workers' compensation leave who is drawing temporary total disability compensation may be eligible to participate in this program. Voluntary shared leave may be used during the required seven (7) day waiting period.

Section 3: Application Process

- 3.1. HROD must receive official notification of a request to participate in the voluntary shared leave program via the Voluntary Shared Leave Request Form.
 - 3.1.1. The form may be submitted by the employee, the employee's supervisor, or a coworker.
 - 3.1.2. HROD cannot assume responsibility for initiating the request.
- 3.2. HROD will contact the employee to verify the validity of the request and will inform employee of the application procedures.
 - 3.2.1. The employee must sign the Voluntary Shared Leave Consent Statement authorizing HROD to solicit voluntary shared leave from other employees.
- 3.3. The employee will be notified by HROD of the decision to either grant or deny the request for participating in the voluntary shared leave program.
 - 3.3.1. There is no appeal process for the decision to grant or deny voluntary shared leave.
- 3.4. When HROD solicits leave (if approved), only a statement that the recipient has a prolonged medical condition (or the family member) will be made unless the employee wishes to make the prolonged medical condition public and signs the consent statement on the Voluntary Shared Leave Request Form to allow the status to be known.
 - 3.4.1. The employee is discouraged from soliciting their own leave.

Section 4: Constraints of Shared Leave

- 4.1. Participation in this program is limited to 1,040 hours (prorated for part-time employees who receive benefits), either continuously or, if for the same condition, on a recurring basis.
 - 4.1.1. However, PCC may grant employee continuation in the program, month by month, for a maximum of 2,080 hours, if PCC would have otherwise granted leave without pay.
- 4.2. Subject to the maximum of 1,040 hours, the number of hours of leave an employee can receive is equal to the projected recovery or treatment period, less the employee's combined annual and sick leave balance as of the beginning of the recovery or treatment period.
- 4.3. The employee must exhaust all available leave (sick, annual, bonus and compensatory) before using donated voluntary shared leave.
- 4.4. Leave donated to a recipient's leave account is exempt from the maximum accumulation carry over restrictions at calendar year end.

Section 5: Donor Guidelines

- 5.1. A non-family member donor may contribute
 - 5.1.1. annual or bonus leave to another employee in any state agency, community college, or public school.
 - 5.1.2. up to 40 hours of sick leave to an employee of a community college as long as the combined total of sick leave received from non-immediate family members does not exceed 160 hours per year as defined by local college policy.
- 5.2. An immediate family member donor of any state agency, public school system, or community college may contribute annual, bonus or sick leave to another immediate family member in any state agency, public school or community college.
- 5.3. To donate leave, the Voluntary Shared Leave Donation form must be completed and forwarded to HROD.
- 5.4. The minimum amount of sick or vacation leave to be donated is four (4) hours.
 - 5.4.1. An employee family member donating sick leave to a qualified immediate family member under the Voluntary Shared Leave program may donate up to a maximum of 1040 hours but may not reduce their sick leave account below 40 hours.

5.5. The maximum amount of annual leave allowed to be donated by one (1) individual is the amount of the individual's annual accrual rate.

5.5.1. The amount donated shall not reduce the donor's annual leave balance below one-half of the yearly annual leave accrual rate.

5.5.2. Bonus leave may be donated without regard to this limitation.

5.5.3. Donor eligibility is determined by their leave balance as of the end of the preceding month.

5.5.3.1. Example A: A 12-month employee with five (5) but less than ten (10) years of eligible service earns 136.08 hours annually of annual leave. Employee may contribute four (4) or more hours but may not reduce annual leave balance below 68.04 hours.

5.5.3.2. Example B: A 12-month employee with twenty (20) years or more of eligible service earns 208.08 hours annually of annual leave. Employee may contribute four (4) or more hours but may not reduce annual leave balance below 104.04 hours.

Section 6: Accounting Procedures

6.1. All leave donated shall be credited to the recipient's sick leave account and is available for use on a current basis and may be retroactive for up to sixty (60) calendar days to substitute for advanced vacation or sick leave already granted to the recipient or to substitute for leave without pay.

6.2. Each approved medical condition shall stand alone and donated leave not used for each approved incident shall be returned to the donors.

6.2.1. Employees who donate "excess" annual leave (any amount above the 240 maximum allowable carryover) at the end of June may have it returned and converted to sick leave.

6.3. Voluntary shared leave shall be solicited on a current/as needed basis.

6.3.1. Donated leave shall be applied to advanced leave before applying it to leave without pay.

6.4. At the expiration of the qualifying medical condition, as determined by PCC (substantiated by a doctor's certificate), any unused leave in the recipient's donated leave account shall be treated as follows:

- 6.4.1. Recipient's vacation and sick leave account balance shall not exceed a combined total of 40 hours (pro-rated for part-time employees)
- 6.4.2. Any additional unused donated leave shall be returned to active (working or on leave without pay) donor(s) on a pro rata basis and credited to the leave account from which it was donated.
- 6.5. If a recipient separates due to resignation, death, or retirement from state government, participation in the program ends.
 - 6.5.1. Donated leave shall be returned to the active donor(s) on a pro rata basis.
- 6.6. Voluntary shared leave donations must be received, documented, and appropriately accounted for within thirty (30) days of the expiration of the qualifying medical condition.
- 6.7. An employee whose qualifying medical condition ended on June 30 has until July 30 to solicit leave.
- 6.8. HROD shall ensure the appropriate debiting and crediting of leave accounts for audit purposes.
 - 6.8.1. Note: An employee who returns to work on a part-time, trial or rehabilitative basis may continue receiving voluntary shared leave until they are reinstated to their normal status (part- or full-time), provided they are still under the care of a physician.
 - 6.8.1.1. The employee must provide documentation from their attending physician that they should return to work on a part-time, trial or rehabilitative basis.
 - 6.8.2. The employee ceases to qualify for voluntary shared leave upon returning to work in their normal status (part or full-time).

Legal Citation: [1C SBCCC 200.94\(c\) \(p. 42\)](#)

History: Effective August 1, 2005; Revised November 2021, March 2025