HUMAN RESOURCES & EMPLOYEE DEVELOPMENT

Shared Sick Leave Pool Program

Note: membership is not available until the university wide benefits open enrollment period that occurs in the fall of every year.

Policy

It is the policy of Valdosta State University and the Board of Regents to provide a means for university employees to voluntarily contribute sick leave to a leave pool to be used by fellow employees who have exhausted all leave and because of a medical emergency are in need of additional sick leave.

Program

The purpose of the Shared Sick Leave Pool is to provide a means for employees to donate paid sick leave to a leave pool to be used by fellow employees who are eligible for and require leave while experiencing a life-threatening or emergency medical condition, and which has caused, or is likely to cause, the employee to take leave without pay.

Definitions

Employee – means any employee of the University System who earns sick leave as a benefit of his/her employment by the System, including employees who work greater than a .50 full time equivalency (FTE).

Physician – a physician licensed by his/her respective state.

Leave pool member -A leave pool member is an employee that makes a voluntary, written request for the irrevocable transfer of sick leave to the leave pool. Once leave has been transferred to the leave pool, it may not be used by the leave pool member for any other benefit purposes.

Leave recipient – Means a current employee who has completed the employment provisional period and for whom the institutions Shared Sick Leave Pool Committee has approved an application to receive leave from the leave pool. The recipient may use this leave for any purpose authorized under Valdosta State University Policy Section 802.03 and the Board of Regents Policy Manual Section 802.0802, which meets the definition of life-threatening or emergency medical or mental health condition as described below.

Life-threatening or emergency medical or mental health condition –Means a health condition involving a serious, extreme, or life-threatening illness, injury, impairment, or mental health condition that is likely to require an employee’s absence from duty for a period of time longer than the amount of sick and annual leave available to the employee, and the health condition is such that it is not medically appropriate for the employee to delay the absence in order to accrue additional sick or annual leave prior to the absence. Some examples of such conditions include: advanced or rapidly growing cancers, acute life-threatening illnesses, chronic life-threatening conditions in need of immediate care, life-threatening infections, severe injuries arising from automobile or other serious accidents and severe or life-threatening conditions involving failure of bodily organs or systems (e.g., heart attack). The absence may be continuous, as in hospitalization following surgery or an accident, or intermittent, as in periodic absences for chemotherapy or other procedures.
Procedures for Membership

Shared Sick Leave Pool Membership

A contribution of 8 hours of leave per calendar year is the minimum amount required to become a member of the leave pool. A member may contribute up to a maximum of 40 hours during each open enrollment period.

A member must retain a combined total of 40 hours of sick and annual leave in their own personal account. Should the Shared Sick Leave Pool reserve drop to less than 120 hours, the pool will be considered depleted. All donors will, in this situation only, and upon notification of the depleted status of the pool, automatically be charged 8 hours per donor, unless the donor wishes to withdraw from the program. Leave requests will be honored in the order in which they were placed when the pool is replenished. The automatic charge to replenish the pool may occur only once per calendar year. Should the pool be depleted a second time in a given calendar year, no further requests for Sick Leave will be accepted.

Enrollment

Employees who wish to participate will contribute a minimum of 8 hours from their sick leave accounts to the Shared Sick Leave Pool during the annual open enrollment period for other benefits by completing a Shared Sick Leave Pool Membership form. During Open Enrollment an employee may contribute a maximum of 40 hours of sick leave but the amount must be in eight hour increments. This sick leave amount will be transferred to the Shared Leave Pool at the same time other benefit elections are effective (normally January 1). An employee who contributes leave must retain a combined total of 40 hours of leave in his/her own sick and annual leave accounts (pro-rated for part-time employees). Eight hours will automatically be deducted each open enrollment period to retain membership.

Enrollment in the shared leave pool shall only be allowed during the open enrollment periods conducted during the months of October and November of each year.

No employee shall be denied membership in the shared leave pool if the membership criteria are met.

A participating employee may not contribute to the pool any unused or unpaid sick leave from the employee's account at the time of separation from the University System of Georgia, including retirement.

Termination of Membership

An employee may withdraw from the pool at any time by sending a written request for withdrawal to the Director of Human Resources and Employee Development. Any leave contributed to the pool prior to withdrawal shall be forfeited.

When a participating employee withdraws the maximum number of hours, his/her membership in the pool will automatically terminate.

A potential leave recipient may request up to 160 hours of Shared Leave at one time, and may make up to two additional requests for Shared Leave within a calendar year, for a maximum total of 480 hours per year within a five year period. The requests may be consecutive.
To re-enroll, the employee will be subject to the initial enrollment requirements for membership. When a sick leave pool member is eligible for workers’ compensation, unemployment, disability or retirement benefits, etc., he/she shall not be granted sick leave pool credits.

Procedures for How to Apply for Shared Leave

Eligibility for Shared Sick Leave

The provisions of this program do not extend to conditions affecting anyone other than the pool member.

In order to be eligible to receive Shared Sick Leave, the employee must:

- be a member of the leave pool, and
- have completed the initial provisional period of employment, and
- provide certification from a licensed physician of a life-threatening or emergency medical or mental health condition pertaining to the employee, and
- have exhausted all sick and annual leave (or provide credible medical evidence that he or she will have exhausted all sick and annual leave before the medical condition is resolved).

The employee will continue to accrue sick leave during their absence as long as they are paid at least one half of a monthly salary.

Applying for Benefits

An eligible employee may request donated leave by completing the Shared Sick Leave Pool Request Form, obtaining a completed Physicians Certification Form and submitting these documents to the Shared Leave Certification Committee in care of Human Resources and Employee Development. If the employee is not capable of making application on his or her own behalf, a personal representative, for the employee, may make written application on behalf of the employee by completing the Shared Sick Leave Pool Request Form obtaining a completed Physicians Certification Form and submitting these documents to the Shared Leave Certification Committee in care of Human Resources and Employee Development.

A potential leave recipient may request up to 160 hours of Shared Leave at one time, and may make up to two additional requests for Shared Sick Leave within a calendar year, for a maximum total of 480 hours per year within a five year period. The requests may be consecutive.

Shared Sick Leave Pool Committee

Leave requests will be reviewed and approved by the Shared Sick Leave Pool Committee. The committee will consists of one staff member from Human Resources and Employee Development, one faculty member, and one staff member from a unit other than Human Resources and Employee Development, preferably the faculty member or the staff member should have a medical/health background.
Approval Process

Each request will be reviewed by the Shared Sick Leave Pool Certification Committee. The Director of Human Resources and Employee Development, or his or her designee, will appoint these committee members for a renewable term of one year. The committee member from Human Resources and Employee Development or his or her designee will carry out the administrative functions of the committee.

If any member of the Shared Sick Leave Pool Certification Committee is from the potential leave recipient’s department, that committee member will be replaced by an alternate, designated by the Director of Human Resources and Employee Development.

If any committee member(s) is unavailable to perform the functions of the committee due to illness, vacation, or other reason, or is unable to provide a timely decision for any given applicant, the Director of Human Resources and Employee Development or his or her designee(s), will serve as substitute ad hoc member(s) of the committee.

The committee’s decision to approve or disapprove a request for Shared Sick Leave will be by simple majority vote and may be the result of communication by email, telephone, or other means in lieu of meeting together in one location.

If the request is approved, the Shared Sick Leave Committee will notify the Shared Sick Leave Coordinator (a designated employee within the Human Resources and Employee Development Department). The Shared Sick Leave Coordinator will notify the applicant (or the personal representative who applied on behalf of the employee) within 5 working days after the date the completed request for Shared Leave is received by the committee (or the date that the institution makes changes to these policies or procedures, if that date is later) that:

- the request has been approved; and
- the employee may begin drawing leave from the pool, and
- if the employee has entered the status of leave without pay, the approved Shared Sick Leave may be substituted retroactively to cover the period of leave without pay.

Or the request has been denied; and the reason for the denial

Requests which have been denied may be appealed in writing to the Director of Human Resources and Employee Development.

Confidentiality

Any medical information provided to the Shared Sick Leave Pool Certification Committee, will remain confidential and will not be shared except with employees in Human Resources and Employee Development on a need-to-know basis. Potential leave recipients, their representatives and Shared leave pool committee members must refrain from using institutional e-mail to solicit leave by revealing a medical condition, as e-mailing of medical information may violate HIPAA privacy guidelines.

Note: The granting of Shared Sick Leave Pool hours in no way limits the university’s right to proceed with any disciplinary or employment action. Should an employee transfer, resign, retire or be terminated from Valdosta State University employment, he or she will be terminated from the Shared Leave Pool on the date of the personnel action. Any unused hours will be returned to the pool.
Frequently Asked Question’s

How do I sign up for the program?

Employees may sign up for membership during the Benefits Open Enrollment which occurs in the Fall of each year.

Who is eligible to request Shared Sick Leave?

An employee who is a member of the Shared Sick Leave Pool and has a catastrophic personal injury or illness, life-threatening or emergency medical or mental health condition and has exhausted, or will exhaust his/her personal leave time.

How will I know that I have received Shared Sick Leave?

You will be notified by Human Resources and Employee Development via written documentation.

What happens to any Shared Sick Leave I don’t use?

All unused leave will go back to the pool.

Will an affected employee continue to accrue sick and annual during the time missed from work?

Yes, the employee will accrue leave based on their current status. Accrued leave will be applied to the absence before Shared Leave is applied.

How much leave may be requested?

You may request up to 160 hours of leave per application (pro-rated for part-time employees) up to three times in a calendar year for a maximum of 480 for a five year period.

Who is eligible to donate leave?

Any benefit eligible employee that has participated in the pool and has completed their six month provisional period.

How much leave may I donate?

You may contribute leave in eight hour (8, 16, 24, etc) increments up to a maximum of 40 hours to the pool but you personally must maintain at least a combined total of 40 hours of sick and annual leave on your leave record.

Participants must contribute a minimum of eight hours of leave at Open Enrollment to become and remain a member each year.

What if I change my mind about donating leave?

An employee may withdraw from the pool at any time by sending a written request for withdrawal to the Director of Human Resources and Employee Development. Any leave contributed to the pool prior to withdrawal shall be forfeited.
How can I donate leave?

During Open Enrollment, simply complete the Shared Sick Leave Pool Membership form and send it to Human Resources and Employee Development for processing.

Can I designate who should receive my sick leave contribution?

No. The Shared Leave Pool Committee determines who should receive the sick leave. This ensures equitability as to who receives the leave.

How does this affect my application for FMLA?

Use of the 12 weeks of Family Medical Leave runs concurrently with the use of your sick leave. As a recipient of the shared sick leave you would apply the sick leave against the 12 weeks of FMLA available to you. See SECTION 802.05 for additional information on the use of Family Medical Leave.

Is this program transferable to another Georgia system university?

No, unfortunately at this time it is not transferable to another school.

If a person is out on sick leave during open enrollment, using leave from the Sick leave pool, (meaning they have exhausted their leave) can they continue to be a member of the pool if they do not have the leave to contribute at least eight hours during open enrollment? What if they do not have the required leave balance of 40 hours because they have been out on sick leave just prior to open enrollment?

Being a recipient changes your status. We will pull 8 hours to maintain your membership but your balances will of course be affected. It will be noted that you are a recipient and not held to that standard. Further information will be provided to recipients in that regard.

FORMS

- [Shared Sick Leave Pool Membership Form](#)
- [Shared Sick Leave Pool Request Form](#)
- [Physicians Certification Form](#)