

Personal Leave Donation Policy

The purpose of the Personal Leave Donation Policy is to allow McDowell County Schools' employees, who have accumulated personal leave days, to donate those days to another employee who has suffered a long term personal illness, injury or incapacitation, or who must provide care to an immediate family member.

School Laws of West Virginia §18A-4-10f states that a leave donation policy is one that allows an employee to transfer accrued personal leave to the personal leave account of another employee who has exhausted all accrued personal leave, is not eligible to receive leave (or any more leave) from the personal leave bank, and requires additional personal leave because of a medical or physical condition that incapacitates the employee or an immediate family member for whom the employee will provide care. The county board may not limit the number of days that one employee may transfer to another employee who is his or her spouse, nor may it limit the total number of personal leave days an employee receives under the program. However, the board is allowed to limit the number of days a donor employee transfers to an employee who is not his or her spouse. All donations must be voluntary, with the donor selecting the recipient. Each donated day must be credited to the receiving employee as one full personal leave day, and must be used only for an absence due to the reason for which the leave was transferred. Transferred days remaining when the 'catastrophic medical emergency' ends revert back to the donor.

1. Based on the provisions of School Laws of West Virginia §18A-4-10f stated above, the McDowell County Board of Education will allow its employees who have accrued personal leave to donate days from their leave balance, without limitation, to another employee who meets the requirements of the Code.
2. The employee donating personal leave days must complete the Personal Leave Donation Form to donate days to another employee and have the form approved by the Assistant Superintendent in charge of their work location. Once these days are donated, the employee relinquishes all claims to said days. To avoid interruption of the recipient's pay checks, the Personal Leave Donation Form must be submitted prior to the recipient's final pay period.

3. The recipient employee must be currently experiencing a 'catastrophic medical emergency' (medical condition that incapacitates an employee or a member of the employee's immediate family for whom the employee will provide care, which medical condition is likely to require the prolonged absence of the employee from duty, and which will result in a substantial loss of income to the employee because the employee has exhausted all accrued personal leave, including leave awarded by the leave bank, or is ineligible for an award from the leave bank). The Superintendent or the Superintendent's designee shall determine whether an employee is experiencing a 'catastrophic medical emergency'.
4. Donated leave may not be used to qualify for or add to service for any retirement system administered by the state or to extend health insurance coverage provided by PEIA.
5. Donated leave transferred to a recipient employee that is unused following the end of a catastrophic medical emergency shall be returned to the donor employee. The Superintendent or the Superintendent's designee shall determine whether an employee's 'catastrophic medical emergency' has ended.
6. Donated leave shall be credited to the account of the recipient in the order in which the donation was received in the Finance Office, and expended by the recipient in that same order. Any donated days unused at the conclusion of the employee's 'catastrophic medical emergency' shall be returned to the personal leave account of the donor.
7. An employee may not be coerced or compelled to contribute accumulated personal leave under the terms of this program.
8. A recipient employee is not eligible to receive donations of personal leave from another donor employee until the exhaustion of all previously donated personal leave.
9. All requests to donate leave under this program must be submitted by completion of a form provided for this purpose.

Adoption/Implementation Date: July 1, 2007

McDowell County Schools

Personal Leave Donation Program

Employee Contribution Form

I, the undersigned employee of the McDowell County Board of Education, have received, read and understand the information in the Personal Leave Donation Program.

Recipient Employee: _____

Position: _____ Work Location; _____

Is the recipient your spouse? ____ Yes ____ No

Number of Days _____

A letter from a physician licensed to practice in the State of West Virginia must be on file with McDowell County Schools that provides sufficient information to make a determination as to whether the recipient employee is incapacitated with the meaning of 'catastrophic medical emergency' (medical condition that incapacitates an employee or a member of the employee's immediate family for whom the employee will provide care, which medical condition is likely to require the prolonged absence of the employee from duty).

Signature of Donor Employee

Date

Finance Department
McDowell County Schools
30 Central Avenue
Welch, WV 24801

Office Use

Donor employee total accumulated days of personal leave as of date of request _____

Donor employee total accumulated days of personal leave unspecified _____

Number of days transferred to recipient employee _____

_____ APPROVED

_____ NOT APPROVED

Signature of Superintendent/Designee _____