

HUMAN RESOURCES ADMINISTRATIVE MANUAL
TIME AWAY FROM WORK: SHARED SICK LEAVE PROGRAM



UNIVERSITY SYSTEM
OF GEORGIA

Shared Sick Leave Program

CITATION REFERENCE

OFFICIAL TITLE	POLICY ON SHARED SICK LEAVE PROGRAM
VOLUME	HUMAN RESOURCES
RESPONSIBLE OFFICE	USG HUMAN RESOURCES OFFICE
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Policy Statement

University System of Georgia (USG) institutions are authorized to establish policies through which employees may voluntarily donate unused sick leave to a pool for possible use by another institutional employee who is experiencing a serious health condition or whose immediate family member is experiencing a serious health condition and who has used all of their accumulated paid leave.

The Shared Sick Leave Program provides a means for USG employees to donate paid sick leave to a shared leave pool and for fellow employees who meet the eligibility provisions set forth in this policy to request leave from the pool.

Applicability

All units of the University System of Georgia (USG) are covered by this policy.

Who Should Read This Policy

All USG Human Resources staff should be aware of this policy along with all employees eligible for said policy.

Definitions

These definitions apply to the terms as they are used in this policy:

- **Employee:** Any USG employee who accrues annual or sick leave as a benefit of their employment by the System, including part-time employees.
- **Immediate Family Member:** As defined in HRAP Family and Medical Leave policy.

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- **Leave Donor:** An employee that makes a voluntary, written request for the irrevocable transfer of sick leave to the Shared Leave pool. Once leave has been transferred to the leave pool, it may not be used by the donor for any other benefit purposes.
- **Leave Recipient:** A current employee who has completed the provisional employment period and who has been approved to receive sick leave from the pool. The recipient may use Shared Leave for any qualifying purpose which meets the Family and Medical Leave Act (FMLA) definition of a serious health condition. Shared Leave may be used for the employee or the care of an employee's immediate family member, which requires an employee's absence from duty for a period of time longer than the amount of sick and annual leave available to the employee.
- **Physician:** A health care professional licensed by their respective state.
- **Shared Leave Pool:** Accumulated sick leave donated by employees for use in accordance with this program.
- **Serious Health Condition:** As defined in HRAP Family and Medical Leave policy.

Process and Procedures

If an institution chooses to adopt such a program, it shall be known as the "Shared Sick Leave Program" and the following provisions shall apply:

- Only regular benefits eligible employees who have completed their BOR provisional period shall be eligible to enroll in the Shared Leave Program.
- An employee must enroll in the program during the annual benefits open enrollment period established by the Board of Regents or subsequent enrollment period due to the depletion of the leave pool as defined below.
- A minimum donation of eight (8) sick leave hours (Pro-rated for part-time employees) is required to become a leave pool member. A member must have a minimum of forty (40) sick leave hours (pro-rated for part-time employees) remaining after their donation at the time of enrollment.
- Any unused shared sick leave not used by a recipient for a qualifying illness or injury will be forfeited to the shared leave pool.
- Should the shared leave pool reserve drop to less than 120 hours, the pool will be considered depleted. In this situation only, all donors will be notified of the depleted pool status and automatically charged eight (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. At that time, an institution may initiate a special open enrollment period to accept additional program participants.

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Should the pool be depleted a second time in a given calendar year, no further requests for shared leave will be accepted.

- The maximum withdrawal amount during a calendar year is 480 hours (12 weeks) (pro-rated for part-time employees). When a participating employee withdraws the maximum number of hours, their membership in the pool will automatically terminate for the remainder of the calendar year. To re-enroll, the employee must meet the initial enrollment requirements.
- Each institution must designate a Shared Leave Program Administrator and may also appoint a committee to review and respond to leave pool requests. If a committee is utilized, prudence and discretion must be exercised to protect and ensure the privacy of personal and confidential health information of those seeking donations.
- Employees receiving compensation from shared sick leave will continue to accrue annual and sick leave during their absence as long as they are paid at least one half of their monthly salary. Accrued annual and sick leave will be applied before shared leave.
- A shared leave recipient cannot receive shared sick leave along with other short-term or long-term income protection benefits (such as SSI, Disability, Workers Compensation, etc.)
- Participation eligibility shall cease upon employment termination (including retirement). Separating employees may not donate any additional unused sick leave hours to the pool at the time of separation.
- No employee shall be denied program participation if he/she meets the established participation criteria. However, funding limitations (e.g., grant funding) may impact eligibility and participation.
- Participating in the program is voluntary.
- Institutions should consider flexibility in this policy in rare and exceptional circumstances involving pandemic emergencies.

If adopted, the program shall be subject to an annual review and continuation confirmation. This program should be administered in conjunction and accordance with all other USG leave related policies and stipulations.

Leave Donation

Employees will be given the opportunity to donate a specified number of sick leave hours (in eight (8) hour increments up to a maximum of 80 sick leave hours per enrollment period) from their sick leave accounts to the Shared Leave pool by completing an Enrollment Form. The donated leave will be transferred to the Shared Leave pool at the same time other benefit elections are effective (normally January 1).

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Eligibility for Benefit:

In order to receive shared leave, the employee must:

- be a member of the leave program, and
- have completed the initial provisional period of employment, and
- provide certification of a serious health condition from a licensed physician, and
- have exhausted all sick and annual leave (or must provide credible medical evidence that he or she will exhaust all sick and annual leave before the medical condition is resolved).

Membership Termination

An employee may withdraw from the pool at any time by sending a written request to the Shared Leave Program Administrator. Any leave contributed to the pool prior to withdrawal shall be forfeited.

Requesting Shared Leave

An eligible employee may request shared leave by submitting the Request Form and a completed Physician's Certification Form to the shared sick leave program administrator. If the employee is not capable of making application on their own behalf, a personal representative, having documented power of attorney for the employee, may make written application on behalf of the employee.

A potential leave recipient may request up to 160 hours (pro-rated for part-time employees) 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 (12 weeks) (pro-rated for part-time employees) per year. The requests may be consecutive.

Approval Process

Donated leave requests will be reviewed by the program administrator and the Shared Leave Program Committee (if applicable). The leave recipient will be notified within ten (10) working days after the completed request is received (or the period designated within institutional policies or procedures, if that date is later). Then notification will state that:

- the request has been approved; and
- the date the employee may begin drawing leave from the pool, and
- if the employee has entered the status of leave without pay, the approved Shared 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

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Appeal

Requests which have been denied may be appealed in writing to the institution’s Chief Human Resources Officer. If the Chief Human Resources Officer is serving as the program administrators, an alternative appropriate appeal process must be established.

Shared Leave Program Committee Composition

If an institution elects to establish a leave committee, the committee may consist of one Human Resources staff member, one faculty member, and one staff member from a work unit other than Human Resources. Additional committee members may be included as deemed appropriate and or necessary for effective program administration.

Confidentiality

Any medical information provided in conjunction with shared leave requests will remain confidential **and** will only be shared on a strict need-to-know basis, directly related solely to shared sick leave program administration. Additionally, potential leave recipients, their representatives, departmental constituents, and/or shared leave committee members may not reveal any health information or medical condition as part of their application for shared leave as such communications may violate HIPAA, GINA, and other privacy guidelines.

Responsible Parties and Contact Information

Party	Responsibility	Phone/Email/URL
Vice Chancellor for Human Resources, USG	Provide guidance to institution human resources officers on appropriate Shared Leave policy application, monitor campus practices for compliance.	404-962-3235 usg-hr@usg.edu
Institution Chief Human Resources Officers	Ensure appropriate use of the USG Shared Sick Leave policy, including program enrollment and ethical application of the policy, ensure compliance with applicable laws.	See University System HR Officer Listing

Website Address for This Policy

- [USG Policy Manual Section 8](#)

Appendices (Internal Documents, Forms and Web Links)

- [Shared Sick Leave Program Enrollment Form](#)
- [Shared Sick Leave Request Form](#)
- [Shared Sick Leave Termination of Membership Form](#)
- [Certification of Health Care Provider Form WH-380-E](#)

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Frequently Asked Questions

Who is eligible to request Shared Leave?

Employees meeting the following criteria:

- A current employee who has completed the employment provisional period
- The employee experiences a serious health condition as defined by FMLA or their immediate family member experiences a qualifying serious health condition requiring the employee's presence
- The employee has exhausted or will exhaust their personal leave time, and
- The employee participates in the Shared Leave program.

How will I know that I have received Shared Leave?

You will be notified by Human Resources via written documentation.

What happens to any Shared 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 compensation status. Accrued annual and sick 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 (3) times in a calendar year, for a maximum of 480 hours (12 twelve weeks) (pro-rated for part-time employees).

Can Shared Leave be used to care for an Immediate Family Member?

Yes, the recipient may use the Leave for the care of an immediate family member requiring the employee's presence, which meets the FMLA definition of a serious health condition.

Who is eligible to donate leave?

Any benefit eligible employee that has participated in the pool and has completed their six (6) month provisional period.

How much leave may I donate?

You may donate leave in eight hour (8, 16, 24, etc.) increments, with a minimum donation of eight (8) hours and a maximum donation of 80 hours per enrollment period. Donors must retain

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at least forty (40) hours of personal sick leave upon donation (pro-rated for part-time employees).

What if I change my mind about donating leave?

Donations are irrevocable but donors may give written notice to terminate membership.

Can I donate leave upon my leaving the institution or University System of Georgia?

No. Leave cannot be donated upon termination.

How can I donate leave?

During Open Enrollment, complete the Shared Leave Donation form and send it to Human Resources for processing.

Is a leave pool member required to donate hours every year in order to maintain membership?

No. An initial donation is required to become a member. Additional donations are voluntary unless the pool is considered depleted, in which an additional mandatory eight-hour donation is required from all participants to continue membership.

When will donated hours be deducted from an employee's sick leave balance?

The donated leave will be transferred from the employee's leave balance to the Shared Leave pool at the same time other benefit elections are effective (normally January 1).

Can shared sick leave be used intermittently?

Yes, when medically necessary to care for an employee's serious health condition or that of their immediate family member.

Can shared sick leave be used for absences due to childbirth?

Yes, for the period of time deemed medically necessary by a health care professional, which is typically the six weeks immediately following childbirth for normal delivery, without any complications.

Related Documents and Resources (External)

- None

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