

Policy GADF: Donated Leave

Status: DRAFT

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Donating Leave

Effective July 1, 2012, any employee of the Jackson County School District may donate a portion of his/her unused accumulated personal leave or sick leave to another employee of the school district who is suffering from a catastrophic injury or documented illness, as defined in Mississippi Code 37-7-307, or a member of his/her immediate family suffering from a catastrophic injury or illness.

For the purpose of this section, "immediate family" means spouse, parent, stepparent, sibling, child, or stepchild, grandparent, stepbrother or stepsister. Employee's child means biological child, adopted child or foster child, legal ward of the child of whom the employee is standing in loco parentis or who is incapable of self-care because of a mental or physical disability (legal documentation required).

To donate leave to another employee, the following procedures shall be followed:

1. The donor employee shall notify the superintendent (or designee) and designate the employee who is to receive the leave and the amount of unused leave to be donated.
2. The maximum amount of personal leave that may be donated cannot exceed that which would leave the donor employee with fewer than seven (7) days of personal leave. The maximum amount of sick leave that may be donated cannot exceed 50% of the unused accumulated sick leave. Pursuant to MS Statute 25-3-95(8)(j), no employee can donate leave after tendering notice of separation for any reason, including retirement, or after termination. Once donated leave has been processed, the donor employee may not request its return.
3. An employee must have exhausted all of his/her accumulated personal and sick leave before being eligible to receive any donated leave. Donated leave shall not be used in lieu of disability retirement.
4. Eligibility for donated leave shall be based upon review and approval by the donor employee's supervisor.
5. If the amount of leave that is donated is not used by the employee, the whole days of donated leave shall be returned to the donor employee on a pro rata basis.

Receiving Donated Leave

To receive donated leave from another employee, the following procedures shall be followed:

1. The recipient employee must have been employed for a total of at least twelve (12) months on the date on which the leave is donated.
2. The recipient employee must have been employed for at least 1,250 hours of service with JCSD during the previous twelve-month period from the date on which the leave is donated.
3. The recipient employee must have exhausted all of his/her earned personal leave and major medical leave.
4. The recipient employee must provide the superintendent's committee with a physician's statement that states the beginning date of the injury or illness, a description of the injury or illness and a prognosis for recovery and the anticipated date the employee will be able to return to work. If it passes approval of the committee, then the request for donated leave will be presented to the Superintendent for final approval.

Donated leave request forms may be found on the Human Resources page of the Jackson County School District website (jcsd.ms).
