

## **R 8-13-2 Guidelines**

The following conditions must be met in implementing the Personal Leave Donation Program:

- ❖ The donor employee voluntarily agrees to the leave transfer;
- ❖ The donor employee selects the employee designated to receive the personal leave transferred; and
- ❖ The receiving employee requires additional personal leave because of a catastrophic medical emergency.
- ❖ The donated leave may not be used to:
  - Qualify for or add to service for any retirement system administered by the state; or
  - Extend insurance coverage pursuant to §5-16-13 of the code;
- ❖ Each personal leave day contributed:
  - Shall be deducted from the number of personal leave days to which the donor employee is entitled;
  - Shall not be deducted from the number of personal leave days without cause to which the donor employee is entitled if sufficient general personal leave days are otherwise available to the donor employee;
  - Shall be credited to the receiving employee as one full personal leave day;
  - May not be credited for more or less than a full day by calculating the value of the leave according to the hourly wage of each employee; and
  - May be used only for an absence due to the purpose for which the leave was transferred.
  - Any transferred days remaining when the catastrophic medical emergency ends revert back to the donor employee.
- ❖ An employee may not be coerced or compelled to contribute to a leave donation program.

*Special Note: Professional personnel who receive donations from service personnel shall receive pay at the professional personnel rate—not the service personnel rate. Likewise, service personnel who receive donations from professional personnel shall receive pay at the service personnel rate—not the professional personnel rate.*

[WVC §18A-4-10(f)]