

Leave Sharing Procedure

1. An ESD 123 employee is eligible to receive donated leave if the following conditions are met:
 - A. The staff member suffers from, or has a relative or household member suffering from, an extraordinary or severe illness, injury, impairment, or physical or mental condition; is a victim of domestic violence, sexual assault, or stalking; needs time for parental leave; is sick or temporarily disabled because of pregnancy; or has been called to service in the uniformed services;
 - B. The staff member's condition or circumstance has caused or is likely to cause the staff member to:
 1. Go on leave-without-pay status; or
 2. Terminate their employment;
 - C. The staff member's absence and the use of shared leave are justified by documentation;
 - D. The staff member has depleted, or will shortly deplete, their annual leave and sick leave reserves (a staff member who is sick or temporarily disabled because of pregnancy or using parental leave does not have to deplete all annual and sick leave reserves; they can maintain up to 40 hours of annual leave and 40 hours of sick leave in reserve);
 - E. The staff member has abided by ESD 123 rules regarding sick leave use; and
 - F. The staff member has diligently pursued and been found to be ineligible to receive industrial insurance benefits.

The Superintendent or designee will determine the amount of leave, if any, which a staff member may receive under this policy and procedure. However, a staff member will not receive more leave than the number of contracted days remaining in the current fiscal year. In the event that the condition requiring the employee's absence continues beyond the current year, the employee will not receive a total of more than 522 days of donated leave during total ESD 123 employment.

2. ESD 123 employees may donate leave as follows:
 - A. A staff member who has an accrued annual leave balance of more than ten (10) days may request that the Superintendent or designee transfer a specified number of days to another person authorized to receive shared leave. A staff member may not request leave to be transferred that would result in an accrued annual leave balance of fewer than ten (10) days;
 - B. A donating staff member must retain a minimum of twenty-two (22) days of sick leave after the transfer;
 - C. A staff member who does not accrue annual leave but who has an accrued sick leave balance of more than twenty-two (22) days may request that the Superintendent transfer a specified amount of sick leave to another person authorized to receive such leave. A staff member may not request a transfer that would result in an accrued sick-leave balance of fewer than twenty-two (22) days. Sick leave as defined in RCW 28A.400.300 means leaves for illness, injury, and emergencies;
 - D. A staff member who receives personal holiday leave may request that the Superintendent or designee transfer a specified amount of personal holiday leave to another person authorized to receive shared leave, or to ESD 123's shared leave pool. A staff member may request to transfer no more than eight (8) hours of personal holiday leave during any calendar year;
 - E. The number of leave days transferred will not exceed the amount authorized by the donating staff member; and

- F. Any leave donated by a staff member that remains unused will be returned to the donor. To the extent administratively feasible, leave transferred by more than one staff member will be returned on a pro-rata basis.
3. Shared Leave Calculation:
- A. The calculation of the recipient's leave value shall be in accordance with the formula below. The leave received will be coded as shared leave and be maintained separately from all other leave balances. All compensatory time, sick leave, annual leave and personal leave accrued must be used prior to using shared leave with the exception of pregnancy or parental leave).

Donor Formula for Shared Leave Transfer Calculation:

- Dollar Value of Donated Leave = Donated Leave Hours x Donor's TSR*

Donee Formula for Shared Leave Received:

- Shared leave hours credited to donee = (Dollar Value of Donated Leave Received / Donee's TSR*)

* Total Salary Rate (TSR) = BSR (Base Salary Rate) + FBR (Fringe Benefits) Rate)

- B. Salary and benefits will continue while using shared leave.
- C. All salary and wage payments made to employees while on leave transferred under these rules shall be made by ESD 123.
- D. Any shared leave not used by the recipient shall be returned to the donor(s) within 90 days after the recipient returns to work.
- E. The payroll office shall maintain the following confidential records pertaining to the ESD 123 shared leave program:
1. Number of requests received
 2. Number of requests granted
 3. Nature of request
 4. Additional cost to the ESD of allowing participation in the shared leave program
 5. Amount of leave transferred
 6. Date leave was transferred

Leave sharing requests will be initiated electronically on Form 5406-F1 through the agencies HRM software.

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