

Donated Leave Policy

Summary/Purpose: This policy provides information for employees who are interested in becoming a donor or a recipient of donated leave. Included are qualifying events, definitions, and specific guidelines and instructions for requesting such leave.

As enacted by the 2003 Mississippi State Legislature, employees may donate a portion of their earned Personal and/or Major Medical Leave to another employee who is suffering from a catastrophic injury or illness, or to an employee who is caring for a member of his or her immediate family who is suffering from a catastrophic injury or illness. An immediate family member is defined as a spouse, parent, stepparent, sibling, child or stepchild.

A catastrophic injury or illness is defined as a life-threatening injury or illness of an employee or a member of an employee's immediate family which totally incapacitates the employee from work, as verified by a licensed physician, and forces the employee to exhaust all leave time earned by that employee, resulting in the loss of compensation from a state agency for the employee. Conditions that are short-term in nature, including, but not limited to, common illnesses such as influenza, the measles, and common injuries, are not catastrophic. Chronic illnesses or injuries, such as cancer or major surgery, which results in intermittent absences from work and which are long-term in nature and require long recuperation periods may be considered catastrophic.

Recipient Information:

To qualify as a recipient, the employee must:

- be employed with the University of Mississippi for at least one year, and
- have worked at least 1250 hours in the year preceding the request, and
- be absent from work because they are suffering from a catastrophic injury or illness or caring for a member of the employee's immediately family who is suffering from a catastrophic injury or illness.

Prior to receiving donated leave, the employee must provide the Department of Human Resources with medical documentation that is certified by an attending physician that states the beginning date of the catastrophic injury or illness, a description of the injury or illness, a prognosis for recovery, and the anticipated date that the recipient employee will be able to return to work. Employees shall use the University's Medical Certification (Form 21) for this purpose. The form is available on the Department of Human Resources website.

The maximum amount of donated leave an employee may receive without returning to work is 720 hours.

Agencies with more than 500 employees may only receive donated leave from employees within the same agency, as such; faculty and staff shall only receive leave donated by University of Mississippi employees.

An employee must have exhausted all of their own earned Personal and Major Medical Leave before they will be eligible to receive leave donated by another employee.

An employee, whose request for donated leave is denied, may request an appeal of Human Resources' decision. The employee will be required to complete an Authorization for Release of Protected Health Information form authorizing the Department of Human Resources to release all medical information, pertaining to the specified injury or illness, to the University Employee Health Center for review and determination. This form is available by contacting the Department of Human Resources. All decisions rendered by the University Employee Health Center will be final and no further appeals will be allowed for the specified injury or illness.

Donor Information:

The employee donating leave ("donor employee") shall:

- designate the employee who is to receive the leave ("recipient employee") and
- indicate the amount of earned Personal and/or Major Medical Leave that is to be donated.

Employees shall use the University's Donor Leave Request (Form 17) for this purpose. The form is available on the Department of Human Resources website.

The maximum amount of earned Personal Leave that an employee may donate to any other employee may not exceed a number of days that would leave the donor employee with fewer than seven (7) days of Personal Leave, and the maximum amount of earned Major Medical Leave that an employee may donate to any other employee may not exceed 50 percent (50%) of the earned Major Medical Leave of the donor employee. Leave must be donated in increments of 24 hours.

No employee shall donate leave after tendering notice of separation, for any reason, or after separation of employment.

University of Mississippi employees may donate leave to employees of other agencies, who are deemed an approved recipient, if such agency has fewer than 500 employees. The external donor leave request form is available by contacting the Department of Human Resources.