

Donation of Annual / Personal Leave

Definitions

For purposes of this procedural directive, “immediate family member” means a spouse, domestic partner, child, step-child, brother, step-brother, sister, step-sister, mother or father.

For purposes of this procedural directive, “catastrophic illness or injury” means an illness or injury which results in the employee or the employee’s immediate family member requiring a level of care and treatment beyond what he or she could provide without assistance.

For purposes of this procedural directive, “annual/personal leave donor” means the employee who is not a member of or protected by a negotiated agreement who has written authorization to transfer a specific number of annual/personal leave days to another employee who is not a member of or protected by a negotiated agreement who has been approved to receive such annual leave.

For purposes of this procedural directive, “recipient of donated annual/personal leave” means the employee who is not a member of or protected by a negotiated agreement whom has requested and has received written approval to solicit actual donations of annual/personal leave days from other employees who are not members of or protected by a negotiated agreement.

General Provisions

Effective January 1, 2011, Albuquerque Public Schools district personnel who are not members of or protected by a negotiated agreement may donate annual/personal leave days to another district employee who is not a member of or protected by a negotiated agreement and who has exhausted their annual, sick and personal leave in the event of a catastrophic illness or injury of the employee or the employee’s immediate family member.

All donations and receipts of donated annual/personal leave shall be subject to approval by the executive director of human resources, or his/her designee. Denial for annual/personal leave donation and receipt may be appealed, in writing, to the superintendent.

Eligibility Requirements of Recipient of Donated Annual or Personal Leave

An Albuquerque Public Schools employee shall be eligible to receive donated annual/personal leave if he/she meets the following requirements:

- The employee is not a member of or protected by a negotiated agreement;
- The employee has exhausted all of his/her accrued annual leave;
- The employee has exhausted all of his/her accrued sick leave;
- The employee has exhausted all of his/her accrued personal leave;
- The employee has exhausted all other forms of paid leave available;
- The employee has written confirmation from a physician of the diagnosis of a catastrophic illness or injury as defined in this procedural directive; and
- The employee is currently on approved medical leave

Eligibility Requirements of Annual Leave Donor

An Albuquerque Public Schools employee shall be eligible to donate annual/personal leave if he/she meets the following requirements:

- The employee is not a member of or protected by a negotiated agreement;
- The employee has **not** exhausted his/her sick leave;
- The employee has **not** exhausted his/her personal leave; and
- The employee, if they earn annual leave, would retain at least five (5) days of annual leave after the donation had been subtracted from their accrued leave.

Requests for Donations of Annual Leave Process

An employee who not a member of or protected by a negotiated agreement whom wishes to request donations of annual/personal leave shall submit a written request to the Human Resources Leaves Office. This request shall include:

- The estimated leave time needed; and
- The physicians written diagnosis of the catastrophic illness as defined in this procedural directive, including:
 - the nature, severity and anticipated duration of the catastrophic illness or injury
 - a statement that the employee is unable to work as a result of the catastrophic illness or injury of the employee or the employee's immediate family member

The employee's immediate supervisor and department director, if appropriate, shall be notified of the request.

Upon receipt and approval of appropriate documentation including the physician's statement by the Human Resources Leave Office employees who are not members of or protected by a negotiated agreement may begin donating annual/personal leave.

Albuquerque Public Schools permits employees to take a leave of absence of up to one contract year. Recipients of donated annual/personal leave shall not be permitted to use donated leave to exceed that one contract year time period.

Recipients of donated annual/personal leave may seek assistance from the Human Resources Leaves Office in soliciting for donations of annual/personal leave.

Donor Approval Process

Annual/personal leave shall only be donated in one day increments.

There shall be no limitation on the amount of annual/personal leave days an employee may donate as long as the donor of annual leave retains at least five (5) days annual leave as outlined in the eligibility requirements in this procedural directive. There shall be no limitation on the amount of personal leave days an employee may donate. All donations shall be submitted in writing to the Human Resources Leaves Office. The donation shall include:

- The donor's name, location, position and employee number;
- The recipient's name;
- The number of annual/personal leave days the donor is donating; and
- The donor's signature.

Annual or Personal Leave Transfers and Monitoring Donated Annual or Personal Leave

Upon receipt of a written authorization for donation, Payroll shall transfer the dollar value of the donated leave to an equivalent dollar value of leave to the recipient based on the recipient's hourly pay.

Human Resources shall keep records of all of the recipient's leave used and shall ensure that the recipient has exhausted all sick, annual and personal leave prior to using any donated annual leave.

Donated annual leave shall be available for use by the recipient in the next possible payment period after receipt of the written authorization for donation in the Payroll office. The next possible payment period may be the immediately following payment period or may be as many as two payment periods in the future.

Requirements of a Recipient of Donated Annual Leave while Using Donated Annual Leave

The recipient of donated annual/personal leave shall contact Human Resources Leaves Office at least once every sixty (60) days to provide a written status report on the continuing need for the use of donated annual/personal leave. The status report shall be completed by the physician who provided the written confirmation of the diagnosis of a catastrophic illness or injury as defined in this procedural directive.

The recipient of donated annual/personal leave shall submit a time sheet for every pay period.

Reporting Requirements

Upon request, the executive director of Human Resources shall provide the superintendent information regarding the number of employees using donated annual/personal sick leave, employees who have donated annual/personal sick leave and the ongoing need for the use of donated annual/personal leave.

Appeals

Denial for annual/personal leave donation and receipt may be appealed, in writing, to the superintendent.

Administrative Position:

- Executive Director of Human Resources

Department Director:

- Leave Person and Payroll Person

References

Legal Cross Ref.:

Board Policy Cross Ref.:

- [G.07 Annual Leave and Holidays](#)

Procedural Directive Cross Ref.:

- [APS Employee Handbook](#) 

NSBA/NEPN Classification: GCD, GDD

Introduced: November 19, 2010

Adopted: December 17, 2010