



HUMAN RESOURCES

Shared Leave Program

Definitions

1. **“Annual leave”** means vacation that an employee accrues and is maintained in the records of the District for employees eligible to accrue annual leave.
2. **“Day”** means the current assigned work hours per day.
3. **“District”** means the Everett Public Schools.
4. **“Domestic Violence”** means: (a) physical harm, bodily injury, assault, or the inflection of fear of imminent physical harm, bodily injury, or assault, between family or household members; (b) sexual assault of one family or household member by another family or household member; or (c) stalking of one family or household member by another family or household member.
5. **“Employee”** means any District employee entitled to use and accrue annual and/or sick leave and for whom accurate records are maintained.
6. **“Employee’s relative,”** for purposes of this policy and procedure, means the leave recipient’s spouse, child, stepchild, grandchild, grandparent, parent, sibling, or other close relative by blood or marriage.
7. **“Extraordinary or severe”** means serious or extreme and/or life threatening.
8. **“Household members,”** for purposes of this policy and procedure, means those persons who reside in the same home who have reciprocal duties to and do provide financial support for one another. The term does not include persons sharing the same general house when the living style is primarily that of a dormitory or commune.
9. Leave **“donor”** means an employee who has an approved written request for the transfer of annual or sick leave to the leave recipient.
10. **“Leave recipient”** means a current employee ~~with a leave balance of zero~~ who has an approved application to receive shared leave compensation.
11. **“Parental leave”** means leave to bond and care for a newborn child after birth or to bond and care for a child after placement for adoption or foster care, for a period of up to sixteen weeks after the birth or placement.
12. **“Pregnancy disability”** means a pregnancy-related medical condition or miscarriage.
13. **“Shared leave compensation”** means paid leave that has been donated to a leave recipient pursuant to this policy or procedure. Once it is transferred to a leave recipient, no distinction is made between donated annual and sick leave.
14. **“Sick leave”** means leave granted to an employee for the purpose of absence from work with pay in the event of illness, injury, and emergencies as authorized by [RCW 28A.400.300](#).

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15. **“Uniformed Services”** means the armed forces, the Army National Guard, the Air National Guard of any state, territory, commonwealth, possession, or district when engaged in active duty for training, inactive duty training, full-time National Guard duty, or state active duty, the commissioned corps of the Public Health Service, the Coast Guard, and any other category of persons designated by the president of the United States in time of war or national emergency.
16. **“Victim”** means a person against whom domestic violence, sexual assault, or stalking has been committed as defined in this section.

Purpose

The purpose of the Shared Leave Program is to provide a mechanism to allow employees to donate annual (vacation) or sick leave to eligible fellow employees in a manner consistent with state law and regulations.

1. In accordance with paragraphs A or B below, and utilizing the district’s Shared Leave Donation form, employees (donors) may voluntarily donate annual (vacation) or sick leave to a specific employee authorized to receive leave under this procedure, **or to the certificated pool.**

A. **Employees Who Accrue** Annual Leave (vacation) **Donations:**

An employee accruing vacation days may donate any number of those days provided the donor maintains a balance of at least ten (10) vacation days as of the date of the transfer.

The ten (10) day minimum does not apply to employees who are resigning their position with the district. Annual leave does not accrue if the employee receives compensation in lieu of accumulating a balance of annual leave. **Employees may not donate excess annual leave that the leave donor would otherwise lose within thirty (30) calendar days due to exceeding the maximum number of hours on a specific date.**

(2) An employee may donate a specified amount of sick leave only when the donating employee retains a minimum of twenty-two (22) days of sick leave after the transfer.

B. **Employees Who Do Not Accrue Annual Leave (vacation) Sick Leave Donations:**

Any employee who **accrues sick leave, but does not accrue annual leave, and who** has an accrued sick leave balance of more than twenty-two (22) days may request to donate a specified amount of sick leave. In no event may the employee request to donate sick leave that would result in the donor’s sick leave balance falling below twenty-two (22) days.

Due to WAC and DRS excess-compensation rules, an employee may not make a leave donation in the same month of their own retirement or resignation.

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2. In accordance with all provisions below, and utilizing the district's Shared Leave Request form, employees (recipients) may receive paid shared leave if:
 - A. The employee is suffering from, or a relative or household member is suffering from, illness, injury, impairment, physical or mental condition which is of an extraordinary or severe nature (meaning serious, extreme, and/or life threatening);
 - B. The employee has been called to service in the uniformed services;
 - C. The employee is a victim of domestic violence, sexual assault, or stalking;
 - D. The employee is a current member of the uniformed services or is a veteran as defined under [RCW 41.04.005](#), and is attending medical appointment or treatment for a service connected injury or disability;
 - E. The employee is a spouse of a current member of the uniformed services or a veteran as defined under [RCW 41.04.005](#), who is attending medical appointments or treatments for a service connected injury or disability and requires assistance while attending appointment or treatment.**
 - ~~FE.~~ The employee needs the time for parental leave;
 - ~~GF.~~ The employee is sick or temporarily disabled because of pregnancy disability;
 - HG.** The illness, injury, impairment, condition, or call to service has caused, or is likely to cause, the employee to:
 - (1) Go on leave without pay status; or
 - (2) Terminate their employment.
 - IH.** The employee's job is one in which annual leave or sick leave can be used and accrued;
 - JI.** The employee's absence and the use of shared leave are justified as confirmed in writing by a licensed physician or other authorized health care practitioner;
 - KJ.** The employee is ineligible to receive industrial insurance benefits under [Chapter 51.32 RCW](#);
 - LK.** The employee is not receiving compensation under the long-term disability plan;
 - ML.** The employee has abided by district sick leave, military leave policies, and has not been subject to disciplinary action for misuse or abuse of district policies regarding use of sick leave and has depleted or will shortly deplete the employees' annual leave, sick leave, personal leave reserves, and/or paid military leave. If the employee qualified for shared leave for parental leave or for sickness or temporary disability due to pregnancy disability, (as defined by [RCW 41.04.655](#) [4]) the employee is not required to deplete all of their annual leave or sick leave and may maintain up to forty (40) hours of annual leave and forty hours (40) of sick leave in reserve in accordance with WAC 392-136A-040; or
 - NM.** The employee has not received more than 522 days of donated leave during total district employment **by the State of Washington or any state agencies, including employment by other school districts within the state.**

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3. The superintendent designates the **pavroll and benefits office** ~~human resources department~~ to determine the amount of leave, if any, which an employee may receive under this policy and procedure. However, an employee shall not receive more leave than the number of contracted days remaining in the current school year and shall not receive more than the requested amount.
4. For the purposes of this procedure donated and received sick leave and vacation leave conversion shall be calculated on an hourly basis. Each day shall consist of an employee's regularly assigned hours at the time of conversion.
5. In all cases leave donations will be withdrawn from the donor's sick or annual leave accrual only as needed and used by the designated recipient. **Direct** donations shall be withdrawn in the order received. All donated leave not used by a specific employee recipient will be returned to the leave donor and reinstated to the donor's balance.
6. The **pavroll and benefits office** ~~human resources department~~ shall administer the Shared Leave Program.
7. Any employee denied paid shared leave may appeal **human resources' decision** to an appeal board composed of one representative from each recognized bargaining group plus a district representative. The appeal board's decision is final.

Cross reference:

[Board Policy 5406](#)

Shared Leave Program

Adopted: March 18, 1991
Revised: November 21, 1994
Revised: November 16, 1998
Revised: February 2005
Revised: November 2011
Revised: May 2019
PROPOSED: September 2022