

- 3.1.3 The employee's absence and the use of shared leave are justified.
- 3.1.4 The employee has depleted or will shortly deplete his or her:
 - 3.1.4.1 Vacation and sick leave reserves if the employee qualifies under Subsection 3.1.1.1 of this Section; or
 - 3.1.4.2 Vacation and paid military leave allowed under RCW 38.40.060, if the employee qualifies under Subsection 3.1.1.2 of this Section.
- 3.1.5 The employee has abided by CBC rules regarding:
 - 3.1.5.1 Sick leave use if the employee qualifies under Subsection 3.1.1.1 of this Section; or
 - 3.1.5.2 Military leave if the employee qualifies under Subsection 3.1.1.2 of this Section.
- 3.1.6 If the illness or injury is work-related and the employee has diligently pursued and been found to be ineligible for benefits under Chapter 51.32 RCW and the employee qualifies under Subsection 3.1.1.1 of this Section.

4.0 Shared Leave Use

- 4.1 The appointing authority shall determine the amount of leave, if any, which an employee may receive. However, an employee shall not receive more than two hundred sixty-one (261) days of shared leave.
- 4.2 The appointing authority shall require the employee to submit, prior to approval or disapproval, a medical certificate from a licensed physician or health care practitioner verifying the employee's required absence, the description of the medical problem, and expected date of return-to-work status. The appointing authority shall require the employee to submit, prior to approval or disapproval, a copy of the military orders verifying the employee's required absence.
- 4.3 The appointing authority will consider other methods of accommodating the employee's needs such as modified duty, modified hours, flex-time or special assignments in lieu of shared leave usage.
- 4.4 Leave may be transferred from employees of CBC to an employee of CBC or, with the approval of the CBC appointing authority and the head of another state agency/higher education institution, to an employee of another state agency/higher education institution.
- 4.5 Vacation, sick leave, or all or part of a personal holiday transferred from a donating employee shall be used solely for the purpose stated in this Procedure.
- 4.6 The receiving employee shall be paid his/her regular rate of pay; therefore, the value of one hour of shared leave may cover more or less than one hour of the recipient's salary.

5.0 Shared Leave Donation

- 5.1 An employee may donate vacation, sick leave, or personal holiday to another employee for purposes of the leave sharing program under the following conditions:
 - 5.1.1 CBC approves the employee's request to donate a specified amount of vacation to an employee authorized to receive shared leave; and
 - 5.1.2 The full-time employee's request to donate leave will not cause his or her vacation balance to fall below eighty (80) hours. For part-time employees, requirements for vacation balances will be prorated; and
 - 5.1.3 Employees may not donate excess vacation that they would not be able to take due to an approaching anniversary date.

- 5.2 CBC approves the employee's request to donate a specified amount of sick leave to an employee authorized to receive shared leave. The employee's request to donate leave will not cause his or her sick leave balance to fall below one hundred seventy-six (176) hours for exempt and classified; and one hundred thirty two (132) hours for faculty after the transfer.
- 5.3 CBC approves the employee's request to donate all or part of his or her personal holiday to an employee authorized to receive shared leave.
 - 5.3.1 That portion of a personal holiday that is accrued, donated as shared leave, and then returned during the same calendar year to the donating employee, may be taken by the donating employee.
 - 5.3.2 An employee shall be allowed to split the personal holiday only when donating a portion of the personal holiday to the shared leave program.
- 5.4 No employee will be intimidated, threatened, or coerced into donating leave for purposes of this program.

6.0 Shared Leave Administration

- 6.1 The calculation of the recipient's leave value shall be in accordance with applicable Office of Financial Management policies, regulations, and procedures. The leave received will be coded as shared leave and be maintained separately from all other leave balances. All compensatory time, sick leave, and vacation accrued must be used prior to using shared leave when the employee qualifies for shared leave. Accrued vacation and paid military leave allowed under RCW 38.40.060 must be used prior to using shared leave for employees qualified under Shared Leave Eligibility of this Procedure.
- 6.2 An employee on shared leave shall continue to be classified as a CBC employee and shall receive the same treatment in respect to salary, wages, and employee benefits as the employee would normally receive if using accrued vacation or sick leave.
- 6.3 All salary and wage payments made to employees while on leave shall be made by CBC to the person receiving the leave.
- 6.4 Where CBC has approved the transfer of leave by an employee to another employee of CBC shall arrange for the transfer of funds and credit for the appropriate value of leave in accordance with Office of Financial Management policies, regulations, and procedures.
- 6.5 Leave transferred under this Procedure shall not be used in any calculation to determine CBC's allocation of full-time equivalent staff positions.
- 6.6 Any shared leave not used by the recipient shall be returned to the donor(s). The remaining shared leave is to be divided on a pro-rata basis among the donors and reinstated to the respective donors' appropriate leave balances based upon each employee's current salary rate at the time of the reversion. The shared leave returned shall be prorated back based on the donor's original donation.
- 6.7 Unused shared leave may not be cashed out but shall be returned to the donors, per Subsection 6.6 of this Section.
- 6.8 An employee who uses leave that is transferred under this Program will not be required to repay the value of the leave that he or she used.