



PROCEDURE

Donated Leave Program

Procedure Administrator: Associate Vice President for Human Resources
Authority: N.J.A.C. 4A:6-1.22; SFT – Teachers/Non-Teaching Professional Staff, Letter of Agreement; N.J.S.A. 11A:6-5.1
Effective Date: May 12, 1993; September 21, 2010; March 16, 2011; November 8, 2011, August 22, 2017; December 29, 2018; April 15, 2022
Index Cross-References:
Procedure File Number: 6125
Approved By: Dr. Harvey Kesselman, President

This procedure provides the eligibility requirements governing participation in the Donated Leave Program (N.J.A.C. 4A:6-1.22). The program is intended to assist employees with additional paid leave so that they can return to work after their own or immediate family member's recovery from a health condition or injury as described below.

Eligibility:

12-month and 10-month employees are eligible to donate and receive leave under the University's Donated Leave Program according to the following conditions:

Recipient:

An employee shall be eligible to receive donated sick and/or vacation time from other University employees provided they meet all the following criteria and requirements:

- Has completed one year of continuous service at the University.
- Has exhausted all accrued leave time including compensatory time, sick leave, vacation leave and administrative leave.
- Has not been disciplined for chronic or excessive absenteeism, chronic or excessive lateness or abuse of leave in the two-year period immediately preceding the employee's need for donated leave.
- The recipient or an immediate family member suffers from a catastrophic health condition or injury, which is defined as: (a) a life-threatening condition or combination of conditions, or injury; (b) requires absence from work due to the donation of an organ, including bone marrow; (c) requires absence from work during a period of disability due to the pregnancy of the employee, requiring the care by a physician who provides medical verification of the need for the employee's absence for 30 or more work days, regardless of whether the absence is prior to or after the delivery date; (d) a period of disability which requires the care of a physician who provides medical verification of the need for the employee's/family member's absence from

work for 60 or more workdays to provide care to the family member as directed/prescribed by the family member's physician. "Immediate family" means an employee's spouse, domestic partner, child, legal ward, grandchild, foster child, father, mother, legal guardian, grandfather, grandmother, brother, sister, father-in-law, mother-in-law, and other relatives residing in the employee's household.

- Will receive not less than five (5) donated days from one or more qualified leave donors.

Donor:

A leave donor must meet the following criteria and requirements:

- An employee may donate up to thirty (30) days to any one recipient, if the donor has a remaining balance of not less than 20 days of accrued sick leave, if donating sick leave; and 12 days of accrued vacation leave if donating vacation leave. Donations are irrevocable and only whole days may be donated.
- The donor must not solicit or accept anything of value in exchange for the donation.

Procedures: The Donated Leave Program is administered by the Office of Human Resources subject to monitoring, audit, and appropriate rules in accordance with N.J.A.C. 4A:6-1.22. and the SFT Letter of Agreement. The employee or a family representative must submit medical verification from a physician or other licensed health care provider concerning the nature and anticipated duration of the health condition or injury. Decisions regarding eligibility will be made on a case-by-case basis by the Office of Human Resources in accordance with the guidelines provided in N.J.A.C. 4A:6-1.22.

- The Office of Human Resources will review the request and verify the employee's consent to participate in the Donated Leave Program. If the employee is unable to consent, a member of the employee's immediate family may consent on the employee's behalf.
- Upon the employee's consent and an affirmative determination of eligibility, the Office of Human Resources will circulate a notification of donated leave eligibility and advise Stockton employees regarding the process for donating leave time.
- The lifetime maximum donated leave for a 12-month employee is 260 combined sick or vacation days. The lifetime maximum donated leave for a 10-month employee is 216 combined sick or vacation days. Donations may not be used on a retroactive basis.
- While using donated time, the recipient shall continue to accrue sick leave and vacation leave and be entitled to such leave upon his or her return to work. A job-related injury or illness that is covered by workers' compensation does not qualify for donated leave.
- Any unused donated time shall be returned to the donors on a prorated basis upon the recipient's return to work, unless the proration of donated days results in less

than one day per donor, in which case unused time shall not be returned.

- The recipient will not receive supplemental compensation upon retirement for any unused days the recipient received through the Donated Leave Program.
- Recipients cannot collect Temporary Disability Insurance while participating in the Donated Leave Program. Once an employee has exhausted all benefits from the Donated Leave Program, the employee can enroll or re-enroll in the temporary disability program.
- The [Donated Leave Transfer Form](#) and the [Donated Leave Recipient Affidavit](#) are located on the Office of Human Resources website. Please review those forms for additional information.
- The Associate Vice President for Human Resources or their designee is the decision-making authority as to eligibility for the Donated Leave Program. All decisions are final.

Review History:

	Date
Procedure Administrator	02/16/2022
Divisional Executive	03/01/2022
General Counsel	03/28/2022
Cabinet	04/14/2022
President	04/15/2022