

Request to Donate Leave

Employee's Name: _____

Employee's Title/Pay Grade: _____

Employee's Hire Date: _____

Employee's Banner ID: _____

Employee's Department/Agency: _____

Name of Recipient of this Donation (if known): _____

To donate vested leave, you must meet the following conditions:

- 1) Be eligible for accumulation of leave under South Dakota law, Chapter 3-6, and
- 2) Be in the same or higher pay grade as the recipient

Donate Sick Leave:

I wish to donate _____ hours of sick leave (must be in increments of four hours).

Sick leave may be donated to an employee who has been approved to receive donated leave because they are terminally ill or suffering from a life-threatening illness or injury which prevents him/her from working for at least 90 consecutive days. Sick leave may not be donated to an employee who has been approved to receive donated leave because they are caring for their spouse, child or parent who is terminally ill or suffering from an acutely life threatening illness or injury which has been certified by a licensed physician as having a significant likelihood of terminating fatally.

To donate sick leave, you must have seven continuous years of service and a sick leave balance of 120 hours. For every four hours of sick leave donated, the recipient receives one hour of sick leave.

Donate Annual Leave:

I wish to donate _____ hours of annual leave (must be in increments of one hour).

Annual leave may be donated to an employee who has been approved to receive donated leave because they are terminally ill or suffering from a life-threatening illness or injury which prevents him/her from working for at least 90 consecutive days.

Annual leave may also be donated to an employee who has been approved to receive donated leave because they are caring for their spouse, child or parent who is terminally ill or suffering from an acutely life threatening illness or injury which has been certified by a licensed physician as having a significant likelihood of terminating fatally.

To donate annual leave, you must have an accumulated annual leave balance of 80 hours. For every one hour of annual leave donated, the recipient receives one hour of annual leave.

If a recipient receives a donation of leave from more than one donor, the leave shall be distributed in the order received.

Employee's Signature: _____ (Date) _____

Department/Agency Signature: _____ (Date) _____

(FOR BUREAU OF PERSONNEL USE ONLY)

Human Resource Manager Initials:

Receiving Donated Leave:

When an employee is terminally ill and unable to return to work, or suffering from a life-threatening illness or injury which prevents the employee from working for at least 90 consecutive days:

- 1) The recipient employee may use donated annual and sick leave. For every hour of annual leave donated by an employee, the recipient employee receives one hour of annual leave. For every four hours of sick leave donated by an employee, the recipient employee receives one hour of sick leave.
- 2) Donated leave benefits cease:
 - a) After 2,080 hours of donated leave have been used by the recipient employee who is terminally ill. Part-time employees are eligible for prorated leave.
 - b) After 1,040 hours of donated leave have been used by an employee who is suffering from a life-threatening illness or injury. Part-time employees are eligible for prorated leave.
 - c) When other public disability benefits have been approved, or
 - d) Upon the death of the employee.
- 3) Sick and annual leave may not be accrued by recipient employee on donated leave.

When an employee's spouse child or parent is terminally ill or suffering from an acutely life threatening illness or injury which has been certified by a licensed physician as having a significant likelihood of terminating fatally:

- 1) The recipient employee may use donated annual leave. For every hour of annual leave donated by an employee, the recipient employee receives one hour of annual leave.
- 2) The total paid leave, including the donated annual leave, may not exceed twelve weeks annually per recipient employee. Part-time employees are eligible for prorated leave.
- 3) Sick and annual leave may not be accrued by recipient employee on donated leave.

Donating Leave:

Sick leave may be donated to an employee who has been approved to receive donated leave because they are terminally ill or suffering from a life-threatening illness or injury which prevents him/her from working for at least 90 consecutive days. Sick leave may not be donated to an employee who has been approved to receive donated leave because they are caring for their spouse, child or parent who is terminally ill or suffering from an acutely life threatening illness or injury which has been certified by a licensed physician as having a significant likelihood of terminating fatally. To donate sick leave, the donating employee must have seven continuous years of service and a sick leave balance of 120 hours. For every four hours of sick leave donated, the recipient receives one hour of sick leave.

Annual leave may be donated to an employee who has been approved to receive donated leave because they are terminally ill or suffering from a life-threatening illness or injury which prevents him/her from working for at least 90 consecutive days. Annual leave may also be donated to an employee who has been approved to receive donated leave because they are caring for their spouse, child or parent who is terminally ill or suffering from an acutely life threatening illness or injury which has been certified by a licensed physician as having a significant likelihood of terminating fatally. To donate annual leave, you must have an accumulated annual leave balance of 80 hours. For every one hour of annual leave donated, the recipient receives one hour of annual leave.

Definitions:

Child: A biological, adopted or foster child, a stepchild, or legal ward, or a child of a person standing in place of the parent. The child must either be under age 18 or be age 18 or older and incapable of self-care because of a mental or a physical disability.

Spouse: Husband or wife as recognized under the laws of South Dakota for the purpose of marriage. South Dakota does not recognize common law marriage.

Parent: Biological parent or individual who stood in place of the parent of the employee and was charged with the duties and responsibilities of the parent. This term does not include parents "in law."

NOTE: A person who stands in for a parent includes a person who has the day-to-day responsibility to care for and financially support a child. In the case of an employee, this includes the person who had that responsibility for the employee when the employee was a child. A biological or legal relationship is not necessary.

Life-threatening Illness or Injury: An acute illness or an injury which has been certified by a licensed physician as having a significant likelihood of terminating in fatality

Terminally Ill: An incurable physical condition that is certified by a licensed physician to be nonreversible and like to result in death

Vested Leave: annual or sick leave for which an employee is entitled to payment pursuant to SDCL 3-6-6 and 3-6-8.3.