



New Jersey Schools Insurance Group
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Board of Trustees Retreat of July 20, 2020
Discussion Item
First Reading
Donated leave time policy

As part of its ongoing efforts to enhance employee morale, NJSIG seeks to establish a donated leave time policy to allow NJSIG employees to donate accrued sick or vacation time to fellow employees who experience medical emergencies and have exhausted all paid leave available to them. This policy has been modeled off of the policy used by the New Jersey Civil Service Commission. Thus, it is proposed that the Board adopt this donated leave time policy in this first reading.

Recommended Resolution: to adopt the proposed donated leave time policy as a first reading.

Jill Deitch, Esq.
Executive Director

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1. **Purpose:** This policy governs leave time donated by NJSIG employees. This policy supersedes and replaces all existing policies governing donated leave time by NJSIG employees.
2. **Definitions:**
 - 2.1. “Leave time” means sick days and vacation days that have been accrued by an NJSIG employee consistent with NJSIG Policies 6131 and 6230, but does not include designated paid holidays or floating holidays.
 - 2.2. “Leave recipient” means an NJSIG employee who receives donated leave time pursuant to this policy.
 - 2.3. “Leave donor” means an NJSIG employee who donates leave time pursuant to this policy.
 - 2.4. With respect to an employee, a “catastrophic health condition or injury” is either: (i) a life-threatening condition or combination of conditions; or (ii) a period of disability required by his or her mental or physical health or the health of the employee’s fetus which requires the care of a physician who provides a medical verification of the need for the employee’s absence from work for sixty (60) or more work days.
 - 2.5. With respect to an employee’s immediate family member, a “catastrophic health condition or injury” is either: (i) a life-threatening condition or combination of conditions; or (ii) a period of disability required by his or her mental or physical health which requires the care of a physician who provides a medical verification of the need for the family member’s care by the employee for sixty (60) or more work days.
 - 2.6. “Immediate family member” shall consist of child (biological or adopted), parent, spouse, or civil union partner.
3. **Employee Eligibility:** An employee shall be eligible to receive donated leave time pursuant to this policy if the employee:

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- 3.1. Has completed at least one year of continuous employment with NJSIG; and
- 3.2. Has exhausted all accrued sick days and vacation days, as well as all floating holidays; and
- 3.3. Has not, in the two-year period immediately preceding the employee's need for donated leave time, been disciplined for chronic or excessive absenteeism, chronic or excessive lateness, or abuse of leave time; and
- 3.4. Either:
 - 3.4.1. Suffers from a catastrophic health condition or injury; or
 - 3.4.2. Is needed to provide care to a member of the employee's immediate family who is suffering from a catastrophic health condition or injury; or
 - 3.4.3. Requires absence from work due to the donation of an organ (which shall include, for example, the donation of bone marrow).
4. **Participation in the Donated Leave Program:** In order to participate in the donated leave program, an employee shall make a request to the Legal Department to approve him or her as a leave recipient or leave donor. The employee's supervisor may also make such a request on behalf of an employee for his or her participation in the program as a leave recipient.
5. **Medical Verification Required:** The employee or supervisor requesting the employee's acceptance as a leave recipient shall submit medical verification from a physician or other licensed health care provider concerning the nature and anticipated duration of the disability resulting from either the catastrophic health condition or injury, or the donation of an organ, as the case may be, to the Legal Department.
6. **Posting of Participating Employees:** When the Legal Department has approved an employee as a leave recipient, NJSIG will, with the employee's consent, post or circulate the employee's name, along with those of other eligible employees, to help

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facilitate the donation of leave time. If the employee is unable to consent to this posting or circulation, the employee's family may consent on his or her behalf.

7. Limitations on Donated Leave Time:

7.1. A leave donor shall donate only whole sick days or whole vacation days and may not donate more than ten (10) such days to any one recipient.

7.2. A leave recipient shall receive no more than 180 sick days or vacation days, and shall not receive any such days on a retroactive basis.

7.3. A leave donor shall have remaining at least five (5) accrued sick days if donating sick leave and at least five (5) accrued vacation days if donating vacation leave.

7.4. Under no circumstances may a leave donor revoke the leave donation.

8. Accrual of Leave Time for Donated Leave Recipients: While using donated leave time while an active NJSIG employee, the leave recipient shall accrue sick days, vacation days, and floating holidays pursuant to NJSIG policy and shall be entitled to retain such leave time upon their return to work.

9. Unused Donated Leave: Any unused, donated leave time shall be returned to the leave donors on a prorated basis upon the leave recipient's return to work, except that if the proration of leave days results in less than one day per donor to be returned, that leave time shall not be returned.

10. Prohibition of Coercion or Retaliation: NJSIG employees are prohibited from threatening or coercing or attempting to threaten or coerce other employees for the purpose of interfering with rights involving donating, receiving or using donated leave time. Such prohibited acts shall include, but not be limited to, promising to confer or conferring a benefit such as an appointment or promotion or making a threat to engage in, or engaging in, an act of retaliation against an employee.

11. Termination of Donated Leave Program: NJSIG's Executive Director may suspend or terminate the donated leave program at any time upon thirty (30) days' notice to all affected employees.

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12. **Records maintained:** Records of donated leave time shall be maintained in the personnel files of leave donors and leave recipients.