POLICY

Effective Date: September 20, 2011                                               Authority: RCW 41.04.685; SAAM 25.40.12
Approved By: President's Cabinet                                                                    WAC 357-31

POL-U5410.07 Accessing and Donating to Uniformed Shared Leave Pool

Cancels:

See Also:

POL-U5410.03 Taking Family or Medical Leave
POL-U5410.06 Requesting and Donating Shared Leave
PRO-U5410.07A Procedures For Applying and Donating Uniform Shared Leave
FRM-U5410.07A Uniform Shared Leave Recipient Request Form
FRM-U5410.07B Uniform Shared Leave Donor Form

POL-U5410.07 ACCESSING AND DONATING TO UNIFORMED SHARED LEAVE POOL

This policy applies to all state employees who are entitled to accrue sick leave or vacation leave and for whom accurate leave records are maintained.

Definitions:

Service in the uniformed services - The performance of duty on a voluntary or involuntary basis in a uniformed service under competent authority and includes active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty including state-ordered active duty, and a period for which a person is absent from a position of employment for the purpose of an examination to determine the fitness of the person to perform any such duty.

Uniformed services - The Armed Forces, the Army National Guard, and 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.

Military salary - The base, specialty, and other pay. The salary does not include allowances such as the basic allowance for housing.

Monthly salary - The monthly salary and special pay and shift differential, or the monthly equivalent for hourly employees. Monthly salary does not include overtime pay, callback pay, standby pay or performance bonuses.

1. Pool Administered by Washington Military Department

The military department, in consultation with the department of personnel and the office of financial management, shall administer the Uniformed Service Shared Leave Pool (USSLP) including making eligibility determinations. Western Washington University ensures readily accessible information regarding procedures and access to the program.
2. **Participation Voluntary**

Participation in the USSLP must be voluntary on the part of the donating and receiving employees.

3. **Eligibility Required To Receive Donations**

An employee is eligible to receive shared leave from the USSLP if there is leave available in the pool and the employee:

a) Is called to service (voluntarily or involuntarily) in the armed services;

b) Has depleted or will shortly deplete their paid military leave, compensatory time, vacation leave, and personal holiday;

c) Has abided by Western’s rules regarding Military Leave; and

d) Has a monthly military salary that is less than their state monthly salary. However, up to 8 hours per month may be used from the pool, to continue coverage under the Public Employees Benefit Board regardless of the employee’s monthly state salary and military salary.

4. **Documentation Required When Requesting Donations**

Employees must provide the military department earnings statements verifying military salary and a copy of their orders of service. Employees must notify the military department of any changes to orders of service or military salary and shall submit updated copies of their earnings statements and orders of service when requested by the military department.

5. **Certain Conditions of Employment Remain The Same While Receiving Donations**

An employee using shared leave under these rules continues to be classified as a state employee and receives the same treatment in respect to salary, wages, and employee benefits as the employee would normally receive if using accrued vacation leave or sick leave.

6. **Limits Apply To Leave Paid In Relation To Salary**

The employee is paid his/her regular rate of pay. Therefore, the value of one hour of donated shared leave may cover more or less than one hour of the recipient's salary.

Shared leave paid under this policy, in combination with military salary, shall not exceed the level of the employee's state monthly salary. However, up to eight hours per month of shared leave under this section may be withdrawn and used to continue coverage under the public employees’ benefits board, regardless of the employee's monthly salary and military salary.
The basis for calculating the maximum shared leave pay granted from the USSLP is the greater of:

a) The difference between the employee's current monthly salary and his/her monthly military salary; or

b) The dollar value associated with the number of hours required to maintain eligibility for employee benefits.

7. **Western May Not Restrict Amount Of Leave Employee May Receive**

Except in the event of a violation of rule or statute, Western is required to permit an eligible employee to receive leave from the USSLP.

8. **Donations May Not be Made to a Specific Individual**

Leave donated under the USSLP cannot be directed to a specific individual. Donations are "pooled" and withdrawn from the pool by eligible employees according to priorities established by the military department.

9. **Employees May Donate Leave Under Certain Conditions**

Upon approval by the appropriate director/dean and Vice President (or President when applicable):

a) Vacation leave may be donated if the amount will not cause his/her vacation leave balance of a full time employee to fall below 80 hours after the transfer. For part-time employees, requirements for vacation leave balances are prorated.

b) Sick leave may be donated if the amount will not cause his/her sick leave balance to fall below 176 hours after the transfer.

c) All or part of a personal holiday may be donated.

Departments are financially responsible for the transfer of funds resulting from donations made by their employees.

10. **Abuse Prohibited**

Western shall investigate any alleged abuse of the USSLP and on a finding of wrongdoing the employee may be required to repay all of the shared leave received from the USSLP. The only time an employee will have to repay leave credits is when there is a finding of wrongdoing.