

25 NCAC 01E .1305 DONOR GUIDELINES

(a) An employee of any State agency, public school system or community college may donate vacation leave, bonus leave or sick leave to an immediate family member in any State agency, public school or community college. An employee may donate vacation or bonus leave to another employee in any State agency or to a coworker's immediate family member who is an employee in a public school or community college provided the employee and coworker are in the same agency. An employee may donate sick leave to another employee in any State agency in accordance with the provisions of Paragraph (b) of this Rule. Immediate family is defined in 25 NCAC 01E .0317 DEFINITIONS.

(b) An employee of a State agency may donate up to five days of sick leave to a nonfamily member employee of a State agency. The combined total of sick leave donated to a recipient from a nonfamily member donor shall not exceed 20 days per year. Donated sick leave shall not be used for retirement purposes. Employees who donate sick leave shall be notified in writing of the State retirement credit consequences of donating sick leave.

(c) The minimum amount of sick leave or vacation leave to be donated is four hours. An employee family member donating sick leave to a qualified family member under the Voluntary Shared Leave program may donate up to a maximum of 1040 hours but may not reduce the sick leave account below 40 hours.

(d) The maximum amount of vacation leave allowed to be donated by one individual is the amount of the individual's annual accrual rate. However, the amount donated shall not reduce the donor's vacation leave balance below one-half of the annual vacation leave accrual rate. Bonus leave may be donated without regard to this limitation.

(e) An employee may not directly or indirectly intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce, any other employee for the purpose of interfering with any right which such employee may have with respect to donating, receiving, or using annual leave under this program. Such action by an employee shall be grounds for disciplinary action up to and including dismissal on the basis of personal conduct. Individual leave records are confidential and only individual employees may reveal their donation or receipt of leave. The employee donating may not receive remuneration for the leave donated.

History Note: Authority G.S. 126-4;

Eff. May 1, 1990;

Amended Eff. July 1, 1995; September 1, 1992; July 1, 1991;

Temporary Amendment Eff. June 26, 2003;

Amended Eff. January 1, 2004 (This amendment replaces permanent rule approved by RRC on February 20, 2003 to become effective August 1, 2004);

Amended Eff. February 1, 2011; December 1, 2007;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016.