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Procedure for: All Campuses
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I. Policy

- A. This document sets forth the University of South Carolina Leave Transfer policy for eligible faculty and staff, pursuant to the South Carolina Leave Transfer Act and regulations of the South Carolina Division of State Human Resources. Leave taken pursuant to this policy may qualify as FMLA leave and/or Extended Disability leave and, if so, will run concurrently.
- B. Eligible faculty and staff may donate leave to, and/or or apply for a leave transfer from the University leave pool. Employees in research grant and time-limited positions who accrue leave at the same rate as an FTE employee may donate and receive leave if all other eligibility requirements are met. The Leave Transfer policy enables eligible faculty and staff who have exhausted all accrued leave to request use of leave donated to the university leave pool. The request must be based on a personal emergency requiring time away from work which would result in a substantial loss of income because of the lack of paid leave.
- C. Leave Donations

1. Faculty or staff earning sick and/or annual leave (as applicable) may donate a specified amount of leave to be transferred from their leave balance to the university leave pool. Faculty or staff with 15 days or less sick leave may not donate sick leave, as employees must maintain a minimum balance of 15 days after donating sick leave.
2. Leave donations must be made by the established deadline in December each calendar year.
3. When leave has been donated to the leave pool, it may not be restored or returned to the leave donor.
4. A donor of leave may not designate the recipient(s) of leave.
5. An employee may donate to the leave pool no more than one-half of the annual or sick leave they earn within a calendar year for that calendar year.

D. Leave Transfer

1. Eligible faculty or staff experiencing a personal emergency requiring time away from work for which they have no accrued leave may request that a specified amount of annual or sick leave, as appropriate to their situation, be transferred from the leave pool.
 - a. Only eligible faculty and staff who accrue annual and/or sick leave may request a leave transfer from the leave pool.
 - b. For purposes of this policy, a personal emergency is defined as a medical or family emergency or other hardship situation that is likely to require a faculty or staff member's absence from duty for a prolonged period of time and to result in a substantial loss of income because of the lack of paid leave.
 - c. A personal emergency is limited to catastrophic and debilitating medical situations, severely complicated disabilities, and severe accident cases which would require a prolonged period of recuperation. Routine disabilities or disabilities resulting from elective surgery do not qualify for leave transfers from the leave pool.
 - d. For the purpose of this policy, a prolonged period of time as used in the definition of personal emergency is generally interpreted to be a minimum 30 working days. A faculty or staff member must have been in leave without pay status for a minimum of 30 working days or be able to provide documentation certifying that a medical emergency will result in a period of leave without pay for that period of time. However, an employee who is within 30 days of becoming eligible for long-term disability benefits or disability retirement, and who has exhausted all accrued leave

due to the prolonged personal emergency, will be eligible to be considered for leave transfer even though the total period of leave without pay may be for less than 30 working days.

- e. A faculty or staff member must exhaust all earned sick and/or annual leave (as appropriate according to University Sick and Annual Leave policies) prior to using approved transferred leave.
 - f. Leave taken pursuant to this policy may qualify as FMLA leave and/or Extended Disability leave and, if so, will run concurrently.
 - g. Employees who become eligible for other paid benefits will generally be considered ineligible for leave transfer from the leave pool. Examples of other paid benefits include but are not limited to, workers' compensation, long-term disability, and disability retirement benefits.
 - h. There is no limit to the number of separate requests that a faculty or staff member may submit; however, each separate request must be limited to no more than 30 working days.
 - i. When a faculty or staff member returns to work, the personal emergency ends, or employment terminates, any transferred leave remaining in the leave recipient's balance must be restored to the leave pool. When employment terminates, transferred annual leave from the pool may not be included in a lump sum payment for accrued leave or included for retirement computation purposes, if otherwise applicable.
 - j. The requesting employee's department head is responsible for determining whether there are sufficient funds to pay for the leave requested from the Leave Pool. Insufficient funds may justify denial of a leave transfer request.
 - k. Additional factors such as the individual's leave usage record may be considered before recommending approval of a leave transfer.
2. All requests for leave transfer, regardless of the recommendation from the department, must be forwarded to the Division of Human Resources. On the regional campuses and four-year campuses, requests must be sent through the Campus Human Resources Officer to the Division of Human Resources

II. Procedure

A. Leave Donations

1. If a faculty or staff member wishes to donate leave to the leave pool, a University Leave Donation ([form P-71](#)) must be completed specifying the amount and type of leave to be donated. Donation forms may be obtained from the Division of Human Resources' website at http://www.sc.edu/about/offices_and_divisions/human_resources/docs/p71.pdf.
2. The request to donate leave should be forwarded to the Division of Human Resources at 1600 Hampton Street, Suite 801 Columbia, South Carolina 29208 for review and approval. Faculty and staff on the regional and four-year campuses should submit their donation forms to the Human Resources Officer on their campus.
3. If the donation is approved, the leave donor's sick and/or annual leave balance will be decreased by the specified amount. Notification of this action will be provided to the employee donating leave and to their department head. If a donation is denied, the employee and the department will also be notified.

B. Leave Transfer Requests

1. When a faculty or staff member experiences a personal emergency requiring time away from work for which they have no paid leave, they may request a leave transfer by submitting a Request for Leave Transfer ([form P-72](#)) to their department head. The request must include an explanation of the personal emergency, and a brief leave history explaining the reason there is insufficient leave to cover the time needed. The personal emergency may be subject to verification.
2. It will be the responsibility of the department head to review the request, verify the leave history and make a recommendation for approval or disapproval. Regardless of the recommendation from the department, the request must be forwarded to the Division of Human Resources for review, verification of leave, and disposition. Regional and four year campuses should forward the requests for leave transfer through the Human Resources Officer on their campus.
3. If the leave transfer request is approved, the Payroll Office will transfer the approved amount of sick and/or annual leave to the leave recipient's balance.
4. When a leave recipient returns to work, the personal emergency ends, or employment terminates, the department head must complete a Return from Leave Notification (form P-73) and send it to the Division of Human Resources. Regional and four-year campuses should route these forms through their Human Resources Officer. Any transferred leave remaining in the balance of the leave recipient must be restored to the leave pool.

III. Reason for Revision

- Change in eligibility to include employees in research grant and time-limited positions who accrue leave at the same rate as an FTE employee based on State guidelines revision.