

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 352*
PROPOSED COMMITTEE SUBSTITUTE S352-PCS85199-SH-22

Short Title: VSL Nonfamily Sick Leave Donations.

(Public)

Sponsors:

Referred to:

March 2, 2009

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE ADOPTION OF RULES AND POLICIES FOR THE VOLUNTARY SHARED LEAVE PROGRAM THAT WILL PERMIT THE DONATION OF SICK LEAVE TO A NONFAMILY MEMBER RECIPIENT FOR STATE EMPLOYEES SUBJECT TO THE STATE PERSONNEL ACT, PUBLIC SCHOOL EMPLOYEES, AND COMMUNITY COLLEGE EMPLOYEES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 126-8.3 reads as rewritten:

"§ 126-8.3. Voluntary shared leave.

(a) The State Personnel Commission, in cooperation with the State Board of Community Colleges and the State Board of Education, shall adopt rules and policies to allow any employee at a State agency to share leave voluntarily with an immediate family member who is an employee of a State agency, community college, or public school; and with a coworker's immediate family member who is an employee of a State agency, community college, or public school. For the purposes of this section, the term "immediate family member" means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships. The term "coworker" means that the employee donating the leave is employed by the same agency, department, institution, university, local school administrative unit, or community college as the employee whose immediate family member is receiving the leave.

(b) The State Personnel Commission shall adopt rules and policies for the voluntary shared leave program to allow an employee at a State agency to donate sick leave to a nonfamily member employee of a State agency. A donor of sick leave to a nonfamily member recipient shall not donate more than five days of sick leave per year to any one nonfamily member recipient. The combined total of sick leave donated to a recipient from nonfamily member donors shall not exceed 30 days per year. Donated sick leave shall not be used for retirement purposes, and employees who donate sick leave shall be notified in writing of the State retirement credit consequences of donating sick leave.

SECTION 2. G.S. 115C-12.2 reads as rewritten:

"§ 115C-12.2. Voluntary shared leave.

(a) The State Board of Education, in cooperation with the State Board of Community Colleges and the State Personnel Commission, shall adopt rules and policies to allow any employee at a public school to share leave voluntarily with an immediate family member who is an employee of a public school, community college, or State agency; and with a coworker's



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1 immediate family member who is an employee of a public school, community college, or State
2 agency. For the purposes of this section, the term "immediate family member" means a spouse,
3 parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and
4 in-law relationships. The term "coworker" means that the employee donating the leave is
5 employed by the same agency, department, institution, university, local school administrative
6 unit, or community college as the employee whose immediate family member is receiving the
7 leave.

8 (b) The State Board of Education shall adopt rules and policies for the voluntary shared
9 leave program to allow an employee at a public school to donate sick leave to a nonfamily
10 member employee of a public school. A donor of sick leave to a nonfamily member recipient
11 shall not donate more than five days of sick leave per year to any one nonfamily member
12 recipient. The combined total of sick leave donated to a recipient from nonfamily member
13 donors shall not exceed 30 days per year. Donated sick leave shall not be used for retirement
14 purposes, and employees who donate sick leave shall be notified in writing of the State
15 retirement credit consequences of donating sick leave."

16 **SECTION 3.** G.S. 115D-25.3 reads as rewritten:

17 **"§ 115D-25.3. Voluntary shared leave.**

18 (a) The State Board of Community Colleges, in cooperation with the State Board of
19 Education and the State Personnel Commission, shall adopt rules and policies to allow any
20 employee at a community college to share leave voluntarily with an immediate family member
21 who is an employee of a community college, public school, or State agency; and with a
22 coworker's immediate family member who is an employee of a community college, public
23 school, or State agency. For the purposes of this section, the term "immediate family member"
24 means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the
25 step, half, and in-law relationships. The term "coworker" means that the employee donating the
26 leave is employed by the same agency, department, institution, university, local school
27 administrative unit, or community college as the employee whose immediate family member is
28 receiving the leave.

29 (b) The State Board of Community Colleges shall adopt rules and policies for the
30 voluntary shared leave program to allow an employee at a community college to donate sick
31 leave to a nonfamily member employee of a community college. A donor of sick leave to a
32 nonfamily member recipient shall not donate more than five days of sick leave per year to any
33 one nonfamily member recipient. The combined total of sick leave donated to a recipient from
34 nonfamily member donors shall not exceed 30 days per year. Donated sick leave shall not be
35 used for retirement purposes, and employees who donate sick leave shall be notified in writing
36 of the State retirement credit consequences of donating sick leave."

37 **SECTION 4.** This act becomes effective January 1, 2010.