

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 213  
Committee Substitute Favorable 5/4/09

Short Title: VSL Nonfamily Sick Leave Donations.

(Public)

Sponsors:

Referred to:

February 19, 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 immediate family member who is an employee of a public school, community college, or State agency. 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



1 in-law relationships. The term "coworker" means that the employee donating the leave is  
2 employed by the same agency, department, institution, university, local school administrative  
3 unit, or community college as the employee whose immediate family member is receiving the  
4 leave.

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

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

14 "**§ 115D-25.3. Voluntary shared leave.**

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

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

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