

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 213  
Committee Substitute Favorable 5/4/09  
Committee Substitute #2 Favorable 5/12/09

Short Title: VSL Nonfamily Sick Leave Donations.

(Public)

Sponsors:

Referred to:

February 19, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE THE ADOPTION OF RULES AND POLICIES FOR THE  
3 VOLUNTARY SHARED LEAVE PROGRAM THAT WILL PERMIT THE DONATION  
4 OF SICK LEAVE TO A NONFAMILY MEMBER RECIPIENT FOR STATE  
5 EMPLOYEES SUBJECT TO THE STATE PERSONNEL ACT, PUBLIC SCHOOL  
6 EMPLOYEES, AND COMMUNITY COLLEGE EMPLOYEES.

7 The General Assembly of North Carolina enacts:

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

9 "§ 126-8.3. Voluntary shared leave.

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

21 (b) The State Personnel Commission shall adopt rules and policies for the voluntary  
22 shared leave program to allow an employee at a State agency to donate sick leave to a  
23 nonfamily member employee of a State agency. A donor of sick leave to a nonfamily member  
24 recipient shall not donate more than five days of sick leave per year to any one nonfamily  
25 member recipient. The combined total of sick leave donated to a recipient from nonfamily  
26 member donors shall not exceed 30 days per year. Donated sick leave shall not be used for  
27 retirement purposes, and employees who donate sick leave shall be notified in writing of the  
28 State retirement credit consequences of donating sick leave. Departments and agencies with  
29 employees who are not subject to the provisions of this section may extend the voluntary  
30 shared leave benefit to those employees."

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

32 "§ 115C-12.2. Voluntary shared leave.

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



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.