WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1991

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ENROLLED
Committee Substitute for
SENATE BILL NO. 446

(By Senator Blatnik)

PASSED March 7, 1991
In Effect July 1, 1991
AN ACT to amend article nine, chapter eighteen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section ten, relating to higher education classified employees; authorizing transfer of leave to employee with no sick leave who is unable to work due to catastrophic illness or injury; defining terms; and providing generally for such transfer and limitations thereto.

Be it enacted by the Legislature of West Virginia:

That article nine, chapter eighteen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section ten, to read as follows:

ARTICLE 9. CLASSIFIED EMPLOYEE SALARY SCHEDULE AND CLASSIFICATION SYSTEM.

§18B-9-10. Classified employees' catastrophic leave transfer.

1 (a) For the purpose of this section, a catastrophic illness or injury means an illness or injury which is
expected to incapacitate the employee and which
creates a financial hardship because the employee has
exhausted all sick leave and other paid time off.
Catastrophic illness or injury shall also include an
incapacitated immediate family member if this results
in the employee being required to take time off from
work for an extended period of time to care for the
family member and the employee has exhausted all
sick leave and other paid time off.

For the purpose of this section, employee means a
classified employee employed by a higher education
governing board or by the central office.

(b) Sick leave may be donated to any employee
experiencing a catastrophic illness or injury as those
terms are defined in subsection (a) of this section.
Such leave shall be donated at the request of the
employee upon appropriate verification that the
employee is unable to work due to the catastrophic
illness or injury as determined by the president of the
institution or senior administrator.

Upon approval of the transfer of sick leave by the
president of the institution or senior administrator,
any employee may, upon written notice to the person-
nel office, donate sick leave in one-day increments.
Donations will be reflected as a day-for-day deduction
from the sick leave balance of the donating employee.
No employee shall be compelled to transfer sick leave.

(c) An employee receiving the transfer of sick leave
shall have any time which is donated credited to such
employee's account in one-day increments and
reflected as a day-for-day addition to the leave balance
of the receiving employee.

Use of donated credits may not exceed a maximum
of twelve continuous calendar months for any one
catastrophic illness or injury. The total amount of sick
leave donated may not exceed an amount sufficient to
insure the continuance of regular compensation and
shall not be used to extend insurance coverage pursu-
ant to section twelve, article sixteen, chapter five of
this code. An employee receiving donations of sick
leave pursuant to this section shall use any leave personally accrued on a monthly basis prior to receiving additional donated sick leave.

(d) Transfer of sick leave may be inter-institutional in accordance with the policies of the appropriate governing board. Each institution and the central office shall be responsible for the administration of the sick leave transfers of its classified employees.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

To take effect July 1, 1991.

The within is approved this the day of , 1991.

Governor