

STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

PROCEDURE

PROCEDURE NUMBER: 8-3-103.5

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TITLE: AMERICAN RED CROSS CERTIFIED DISASTER SERVICE LEAVE, BLOOD DRIVE AND DONATION LEAVE, BONE MARROW DONOR LEAVE, ORGAN DONOR LEAVE AND ADMINISTRATIVE LEAVE

POLICY REFERENCE NUMBER: 8-3-103

DIVISION OF RESPONSIBILITY: Human Resource Services

DATE OF LAST REVISION: May 12, 2022

DISCLAIMER

PURSUANT TO SECTION 41-1-110 OF THE CODE OF LAWS OF SC, AS AMENDED, THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE SC STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION/ THE SC TECHNICAL COLLEGE SYSTEM. THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION/THE SC TECHNICAL COLLEGE SYSTEM RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

Leave taken under this procedure may qualify as Family and Medical Leave Act (FMLA) leave and, if so, will run concurrently.

All employees in a full-time equivalent (FTE) position or eligible temporary grant/time-limited position shall be granted other leave with pay as outlined:

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I. American Red Cross Certified Disaster Service Leave

An employee who is a certified disaster service volunteer for the American Red Cross may use up to 10 days of paid leave in a calendar year to participate in specialized disaster relief services with the approval of the System/College President or their designee. This leave is in addition to other leave to which the employee is entitled.

II. Blood Drive and Donation Leave

1. System Office/Colleges may periodically arrange volunteer blood drives for their employees. The blood drives may be held at the times and places as may be determined by the System Office/College President or their designee. The System Office/College employees are permitted to participate in the blood drive during their work hours without using sick or annual leave.
2. An employee desiring to donate blood at a time other than a System Office/College arranged volunteer blood drive, must be excused from work during the employee's regular work hours for the purpose to making the donation without prejudice to the employee and no leave or makeup time may be required. Any employee desiring to donate blood as provided in §8-11-175 of the S.C. Code of Laws shall notify the System Office/College of the scheduled date and the amount of time needed for the donation as far in advance as may be practicable. The System Office/College may deny the employee's request for time to donate if the absence of the employee would create an extraordinary burden on the System Office/College. In considering the employee's request, the System Office/College shall take into consideration such factors as the necessity and type of blood donation and any other factor the System Office/College considers appropriate. The System Office/College may, as a condition of approving the request, require the employee to provide documentation of the donation.

III. Bone Marrow Donor Leave

An employee who works an average of twenty (20) hours or more a week and who seeks to undergo a medical procedure to donate bone marrow may be granted bone marrow donor leave with pay. The total amount of paid leave may not exceed forty (40) work hours unless a longer length of time is approved by the System/College President. Such leave may require verification by a healthcare practitioner of the purpose and length of each request. If a medical determination finds that the employee does not qualify as a

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bone marrow donor, the paid leave of absence granted to the employee before that medical determination is not forfeited.

IV. Organ Donor Leave

All FTE or eligible temporary grant/time-limited employees of the State who wish to be an organ donor and who accrue annual or sick leave as part of their employment, are entitled to leaves of absences from their respective duties without loss of pay, time, leave, or efficiency rating for one or more periods not exceeding an aggregate of thirty (30) regularly scheduled workdays in any one fiscal year during which they may engage in the donation of their organs. Saturdays, Sundays, and State holidays may not be included in the thirty (30) day aggregate unless the particular Saturday, Sunday, or holiday to be included is a regularly scheduled workday for the officer or employee involved. The employee must show documentation from the attending physician of the proposed organ donation before leave is approved that confirms that the employee is the donor.

V. Administrative Leave

An employee who is physically attacked while in the performance of official duties and suffers bodily harm as a result of the attack must be placed on administrative leave with pay by the System Office/College rather than their earned sick leave. The period of administrative leave per incident may not exceed one hundred eighty (180) calendar days. Denial of the use of administrative leave will be grounds for review by the South Carolina Department of Administration's Division of State Human Resources (DSHR) upon request of the employee. Administrative review by the DSHR will be final.

VI. Leave Records

The System Office/College shall maintain all leave records for each employee eligible for such leave. Such records shall be reviewed by or reported to the employee no less than once per calendar year and be supported by individual leave requests. It is acceptable for employee leave requests to be created, approved and maintained via a secure (password protected) electronic system. If such a system is used, approval through the system will be considered the required signature of the employee and supervisor. Employees shall be able to view and print the leave records.

Failure to report leave taken is considered a falsification of work/time records and could be construed as being paid for hours not worked in violation of S.C. Code Ann. § 8-11-30 and may be subject to disciplinary action up to and including termination.