 Missouri Department of Natural Resources Administrative Policies and Procedures		
Chapter 5 Employee Benefits		
ShareLeave Policy and Procedures	Effective date	Revised
Number: 5.04	September 27, 2002	January 23, 2015

The Department of Natural Resources ShareLeave program offers temporary assistance to qualifying employees who experience a catastrophic illness or injury. Employees may also be eligible to receive ShareLeave if they can demonstrate that their spouse or children have experienced a catastrophic illness or injury requiring the employee’s personal care and attention. Special circumstances may be reviewed on a case by case basis.

REFERENCES

ShareLeave 1 CSR 20-5.025 <http://www.sos.mo.gov/adrules/csr/csr.asp>

Leaves of Absence 1 CSR 20-5.020

Related DNR policies

- Leave with Pay 5.01
- Leave without Pay 5.02
- Family and Medical Leave Act 5.03

DEFINITIONS

Catastrophic: An illness or injury that is life threatening, terminal or likely to result in substantial permanent disability.

Division: One of the functioning agencies within the department, including:

- Office of the Director
- Division of Administrative Support
- Division of Environmental Quality
- Missouri Geological Survey
- Missouri State Parks

Pool: A single department-wide pool that receives voluntary contributions of annual leave or compensatory time from employees.

ShareLeave Committee: The department-wide committee that is responsible for the review and approval of requests for ShareLeave.

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GENERAL PROVISIONS

A. Donation Process

Regular, full-time employees are eligible to donate accrued annual leave and/or compensatory time to the ShareLeave pool (temporary, seasonal and original probationary employees are not eligible to donate). All donations to the ShareLeave pool are final and cannot be returned to the donor.

Employees may donate annual or compensatory leave by sending a written request to the Human Resources ShareLeave Coordinator.

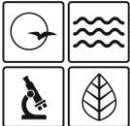
Annual leave that lapses October 31st of each year or annual leave that is over the two year maximum accrual when an employee leaves the department will be donated to the ShareLeave pool unless the employee sends written notification to Human Resources to the contrary.

An employee may not intimidate, threaten or coerce any other employee with respect to donating or receiving donated benefits under this program.

B. Qualifying Conditions

An employee may apply to receive ShareLeave benefits if the following conditions are met:

- 1) The employee has attained original regular status or six months of employment in a position of continuing nature; and
- 2) The employee, employee’s spouse or children suffer an illness or injury which is catastrophic and requires the employee to be absent from work. This encompasses serious conditions that require inpatient, hospice, or resident healthcare including, but not limited to, cancer, major surgery, serious accident, heart attack. Non chronic conditions of short duration generally will not be covered unless there are complicating conditions as determined on a case-by-case basis.
- 3) Has exhausted all accrued leave (sick, annual and compensatory time).
- 4) Is not eligible to receive or has exhausted workers’ compensation indemnity payments
- 5) Is not eligible to receive disability benefits from the State of Missouri (refer to MOSERS Long Term Disability Handbook).
- 6) Is not eligible to receive reduced retirement benefits (refer to MOSERS General Employees’ Retirement Handbook).

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C. Requesting ShareLeave

Employee (or a designated representative) may request ShareLeave by submitting the Application for ShareLeave and ShareLeave Medical Certification.

The application and medical certification are provided to the employee’s supervisor or to the Human Resources ShareLeave Coordinator.

D. Review Process

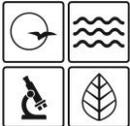
A ShareLeave committee is responsible for administering the program. This committee is comprised of one member from each division and a member appointed by the department director with each member serving a staggered one year appointment. The committee reviews applications and determines whether the ShareLeave is approved or denied. If approved, the committee decides the amount of hours and length of time the ShareLeave will be granted. If an application is denied by the committee, a letter of explanation is forwarded to the employee. If the committee is unable to make a determination based on information provided, a letter requesting additional medical information is forwarded to the employee. It is the responsibility of the employee to ensure that additional medical information is provided to the committee for further consideration.

The ShareLeave Coordinator will ensure employees have met all qualifying criteria mentioned in section B of this policy, maintain a record of the ShareLeave pool balance and notify employees and division personnel of the ShareLeave decision.

It is essential that members of the ShareLeave committee maintain confidentiality concerning matters that can be identified with individual employees, medical information or other matters that have been designated as confidential. Each member will sign a Statement of Confidentiality upon appointment to the ShareLeave committee.

E. Receipt of ShareLeave

The number of ShareLeave hours an employee is awarded will be based on the information provided by the medical provider, pool balance, the number of eligible recipients and current commitments. Each recipient will receive a proportionate number of hours each pay period, up to the maximum allowed. If the pool balance is below the total amount of ShareLeave for which employees have applied and are eligible to receive, each ShareLeave recipient will receive a

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proportionate number of hours for the pay period. Leave without pay will be used to cover absences for the remainder of the pay period.

The ShareLeave committee may require an updated medical certification from the employee on an as needed basis during the ShareLeave period.

ShareLeave hours will be used concurrently with Family Medical Leave Act (FMLA) benefits.

ShareLeave may be approved on an intermittent basis for a minimal amount of hours determined by the ShareLeave committee. Once intermittent ShareLeave hours are depleted, employees may request additional hours by submitting a new medical certification from their physician.

The employee is responsible for immediately notifying the ShareLeave Coordinator upon return to work.

If an employee is unable to return to work for an indefinite period of time they should submit an application for Long Term Disability (LTD) immediately (refer to MOSERS Long Term Disability benefits). If an employee is approved for Long Term Disability (LTD), ShareLeave will end upon the LTD approval date and any remaining hours will be donated back to the ShareLeave pool.

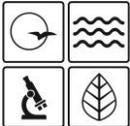
If an employee is granted ShareLeave and they work less than full-time their ShareLeave hours will be pro-rated based on the number of hours worked per week.

An employee receiving ShareLeave is considered in pay status and will be credited with appropriate leave earnings during this period.

The maximum period of time an employee may receive ShareLeave is the equivalent of four months of regular salary per incidence.

If an employee is granted ShareLeave for a family member or has been denied LTD they may be eligible for the maximum amount of ShareLeave hours allowed. Once ShareLeave hours have been depleted, the employee must return to work or resign from their position.

The department will recoup ShareLeave payments made to an employee if it has been determined those benefits were received fraudulently. Employees may also be subject to disciplinary action, up to and including dismissal.

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F. ShareLeave Appeal Process

Employees who have applied for ShareLeave and have been denied may appeal the decision made by the ShareLeave committee. The employee may submit a written appeal to the Human Resources Director within 10 business days of the original determination. If additional time is needed, the employee may contact the ShareLeave Coordinator. An additional 5 days may be granted.

If the appeal contains additional medical information the request will be reviewed by the ShareLeave Committee and the decision will be affirmed or reversed. If the committee upholds their original decision, the information will be sent to the Human Resources Director for final appeal. The Human Resources Director will review the appeal, along with the ShareLeave committee’s decision and make a determination within 10 business days. The decision of the Human Resources Director is final.

[ShareLeave Application](#)

[ShareLeave Medical Certification](#)