Paid Living Donor Leave
HR-05-61

About This Policy

Effective Dates:
07-01-2021

Responsible University Administrator:
Vice President and Chief Human Resources Officer

Policy Contact:
IU Human Resources
askHR@iu.edu

Scope

This policy applies to staff employees.

Policy Statement

1. The Paid Living Donor Leave (PLDL) is provided to an eligible staff employee to serve as a bone marrow donor or a living donor.

2. To be eligible for PLDL, the employee must meet both of the criteria below.
   a. The employee is appointed at 30 hours or more per week (0.75 FTE) in a benefits-eligible staff position at the time.
   b. The employee has been continuously employed in a 30 hours or more per week benefits-eligible staff position for at least one year (12 months) at the time.
      i. Time spent in a 30 hours or more per week benefits-eligible AC1 academic appointment before transferring to an eligible staff position may be applied to the one year if continuously employed.

3. The PLDL is available for donations that take place following the policy effective date of July 1, 2021.

Procedure

1. Paid Living Donor Leave (PLDL)
   a. An eligible staff employee who serves as a bone marrow donor or living donor can receive PLDL.
      i. A bone marrow donor may receive up to one (1) calendar week of paid leave, as determined by the attending physician.
      ii. A living donor may receive up to six (6) calendar weeks of paid leave for a kidney donation, as determined by the attending physician.
      iii. A living donor may receive up to eight (8) calendar weeks of paid leave for a liver donation, as determined by the attending physician.
   b. The amount of PLDL is prorated based on the employee’s FTE at the time of the leave.
   c. The PLDL will be paid at 100 percent (100%) of the employee’s base pay rate.
   d. Any PLDL not taken is not banked for later use or paid out.
   e. The PLDL will end immediately if the employee no longer meets the criteria for eligibility.
      i. For example, the employee transfers to an ineligible position or separates from the university while on leave.
   f. The PLDL may be taken continuously, intermittently, or on a reduced schedule.
i. Intermittent or reduced schedule leave requires the advanced approval of the unit.

ii. Taking the PLDL on an intermittent or reduced schedule does not extend the leave period. The first and last day of the PLDL remains the same.

1. For example, an employee is approved for one week of PLDL and begins the leave on March 1. The leave will end on March 7, regardless of how the leave is taken.

iii. An employee must follow the unit’s procedures to request time off and call in absences when on intermittent or reduced schedule PLDL. Failure to do so may result in the leave not being approved for those days.

2. Concurrent with the

   a. The PLDL will run concurrently with FMLA.
   b. An employee on PLDL, who meets the eligibility requirements of FMLA, will be placed on FMLA leave at the start of PLDL. If the employee meets FMLA eligibility during PLDL, they will be placed on FMLA at that time.
   c. PLDL and FMLA’s concurrent use will decrease the amount of FMLA leave available to the employee in whole or in part.

3. Proper notice and request for Paid Living Donor Leave (PLDL) by the employee

   a. An employee should initially notify their unit of their intention to request PLDL. The employee should provide the unit with the anticipated timing and duration of the leave.
   b. To receive PLDL, the employee must complete the and submit the form to IU Human Resources at least 30 days before the start of the leave. When it is not feasible to provide the 30 days notice, the employee must submit the form as soon as practicable.
   c. If the employee is also eligible for FMLA, this will also be noted on the PLDL request form. No additional FMLA forms are required.
   d. The employee must also provide written verification from a physician indicating that the employee is serving as a living donor and including the number of days of leave needed to IU Human Resources.

4. University benefits during Paid Living Donor Leave (PLDL)

   a. The university benefits (e.g., medical, dental, and retirement) that the employee is enrolled in will continue while the employee is on PLDL.
   b. If a university holiday occurs during the PLDL, the employee will receive holiday pay instead of PLDL per the Holidays policy.

5. Coordination of Paid Living Donor Leave (PLDL) with other university paid and unpaid time off

   a. If the employee needs time off for reasons unrelated to the donation, they may use other paid time off under the appropriate policy provisions.
   b. If the employee requires additional recovery time after the PLDL has ended, the employee must request either:
      i. FMLA by completing the appropriate FMLA request form (under leaves), if the employee is eligible for FMLA and has FMLA available, or
      ii. Paid time off or leave without pay subject to the unit’s discretion if the employee is not eligible for FMLA or has no FMLA remaining.

6. Reinstatement

   a. After PLDL, the employee will return to the same position when the leave began, or an equivalent job provided the employee can perform the essential functions.
   b. An employee on PLDL is still subject to a reduction in force (RIF), furlough, or reassignment.
   c. A fitness for duty test may be required before the employee returns from the PLDL.
   d. The university’s obligation to reinstate the employee to the same or equivalent position ceases if and when the following takes place:
7. a. i. The employment relationship would have ended if the employee had not taken PLDL.
   ii. The employee informs the university of their intent not to work after the end of the PLDL.

Definitions

**Bone Marrow:** The soft material that fills bone cavities.

**Living Donor:** A living individual who donates a liver or kidney for transplantation to another individual.

Sanctions

Managers, supervisors, and employees who violate this policy are subject to disciplinary action, up to and including termination.