

SEP 17 1993

EXECUTIVE ORDER
93-37*Judith K. Dornier*
SECRETARY OF STATE

WHEREAS, anyone may experience a personal illness or injury which is life threatening, catastrophic, or resulting in a potentially permanent disability; and

WHEREAS, many State employees desire to help their fellow employees who are in need of assistance due to such illness or injury; and

WHEREAS, it is in the best interest of the services and programs of State agencies to encourage teamwork and feelings of mutual concern among state employees;

NOW, THEREFORE, I, Mel Carnahan, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby order that the departments and agencies of the Executive Branch of Missouri State Government are authorized to adopt programs by which employees may donate a portion of their accrued annual leave (vacation) benefits to other employees who have suffered serious illness or injury; and

IT IS FURTHER ORDERED that leave sharing programs adopted under this order will adhere to the following terms and limitations:

1. Only annual leave as defined by Section 1 CSR 20-5.020(1) of the Personnel Rules of the Personnel Advisory Board may be donated between employees. Sick leave benefits, which are a grant from the employer and in no sense the property of individuals, may not be donated. Compensatory time which has been accrued as compensation for overtime work and is subject to regulation under the federal Fair Labor Standards Act may not be donated.
2. Employees who are employed in positions of permanent or continuing nature and who have completed their initial probationary periods are eligible to be donors or recipients. Temporary employees are not eligible.
3. Recipient employees must have experienced a personal illness or injury which is life threatening, catastrophic, or resulting in a potentially permanent disability to be eligible for donated annual leave.
4. Recipient employees must have exhausted all of their own accrued annual leave, sick leave, and compensatory leave and all worker's compensation indemnity payments (if applicable) before being eligible for donated annual leave.
5. Employees eligible to receive disability benefits from the State of Missouri are not eligible for donated annual leave.
6. Donations shall not be made from individual but shall be made to a departmental or agency "pool" established for this purpose.
7. Departmental policies will establish a method for determining the eligibility of persons who apply for additional annual leave benefits from the "pool."
8. All eligible applicants will receive an equitable share of additional annual leave from that available in the donation "pool."
9. The maximum benefit which can be authorized for any one employee for any one instance of eligibility shall not exceed the equivalent of six months of regular salary.
10. An employee receiving donated annual leave shall not be credited with additional leave earnings during this period since these will be earned by the employee who donated the leave.

11. All donations of annual leave shall be voluntary. No employee may intimidate, threaten, or coerce any other employee with respect to donating or receiving annual leave under this program. Individual leave records are confidential and only individual employees may reveal their donation or receipt of leave. No employee shall receive remuneration of any kind for leave donated.
12. Each appointing authority that adopts a program under this order shall submit formal written procedures to the Personnel Advisory Board for review.
13. This authorization for donated annual leave programs shall automatically expire on June 30, 1995 or, if earlier, upon adoption of rules serving the same purpose by the Personnel Advisory Board under the authorization of Section 36.350 RSMo.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 16th day of September, 1993.



W. Clinton
GOVERNOR

ATTEST:

Judith K. Joppearty
SECRETARY OF STATE