

LC004106

IN GENERAL ASSEMBLY

RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- ORGAN-DONATION LEAVE
ACT

Referred To: House Finance

SECTION 1. Title 36 of the General Laws entitled "PUBLIC OFFICERS AND
EMPLOYEES" is hereby amended by adding thereto the following chapter:

ORGAN-DONATION LEAVE ACT

This chapter shall be known and may be cited as the "Organ-Donation Leave Act."

(a) Eligibility. A state employee who is currently working and has successfully completed a probationary period during the current employment period and worked at least one thousand two hundred fifty (1,250) hours during the previous twelve (12) months shall be eligible to take leave as provided in this section to donate a kidney, a liver segment, or bone marrow, and to recover. An eligible employee may take organ-donation leave no more than once in any (12) month period.

(b) Duration. Any organ-donation leave shall begin on the date of donation and end on the
of:

(1) Sixty (60) calendar days after a kidney or liver segment donation;

(2) Thirty (30) calendar days after a bone marrow donation;

(3) The date that absence to recover from the donation is no longer supported by

1 documentation from the employee's medical provider as medically necessary;
2 (4) The date of the employee's seasonal layoff, limited term appointment's expiration,
3 layoff after position abolishment, or separation from state service; or
4 (5) The date the employee returns to work.
5 (c) Notice. Before beginning an organ-donation leave, the employee should give as much
6 notice as practicable of the expected start and end date for the leave. Notice should be provided at
7 least thirty (30) days before the leave's expected start.
8 (d) Pay. An eligible full-time employee on organ-donation leave shall receive base pay
9 during the leave. An eligible less-than-full-time employee on an organ-donation leave, for each
10 week during the leave, shall receive base pay for the average number of hours scheduled each week
11 over the last six (6) pay periods before the leave, distributed equally Monday through Friday. Hours
12 shall be entered in payroll as administrative leave.
13 (e) Holidays. Paid holidays observed during a leave shall be recorded as paid holidays and
14 do not extend an organ-donation leave.
15 (f) Leave and accruals. An employee need not exhaust sick and annual leave before taking
16 organ-donation leave. An employee shall accrue sick and annual leave during the leave. An eligible
17 employee shall not use any other paid leave during any organ donation leave. Time on organ-
18 donation leave shall count toward step increases if an employee is in satisfactory standing.
19 (g) Coordination with other benefits. Time on organ-donation leave shall also count toward
20 any Family and Medical Leave Act (FMLA) and unpaid medical leave entitlements.

21 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- ORGAN-DONATION LEAVE
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- 1 This act would provide for paid leave for a state employee who donates an organ. The
- 2 duration of the leave is dependent on the type of donation and notice should be provided to the
- 3 employer at least thirty (30) days prior to the leave.
- 4 This act would take effect upon passage.

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