



# LIVING DONOR LEAVE POLICY EXAMPLES

## STATE GOVERNMENT



ELIGIBLE POPULATION:  
8.5 MILLION

“The program shall pay the living donor expenses for living donors who are residents of the state and make a living donation in which the ultimate recipient, either directly or through paired donation is a resident of the state.

The commissioner through regulations shall establish eligible living donor expenses that are eligible for reimbursement under the program which shall include at a minimum: **lost wages** (including demonstrated lost non-employment income); the **economic value of sick or vacation days expended; travel and lodging, child care and elder care expenses; and costs of medications and care associated with the living donation surgery.** The total period of time related to lost wages or expended sick or vacation days **shall not exceed four weeks** unless special circumstances are demonstrated, such as the nature of physical labor required for the living donor’s employment; provided that the total period shall in no event exceed **eight weeks.**

The commissioner may by regulation impose a limitation on: (i) the amount of lost wages for a living donor making an income in excess of an annual rate of one hundred twenty-five thousand dollars; or (ii) the amount of living donor expenses above fourteen thousand dollars for any single living donor; and may include additional living donor expenses including reimbursement for costs of care performed by relatives or family members of the living donor.”

## BIOTECHNOLOGY

“All **full-time Employees** are eligible for up to (i) **twenty (20) paid work days** each calendar year to serve as a **Living Organ Donor of a kidney, partial lung, liver or other organ,** or (ii) **up to five (5) paid work days** to serve as a **bone marrow donor** (in either case, “Living Organ Donor Leave”).

Living Organ Donor Leave **need not be taken in consecutive days**, and days may be taken for time needed to be evaluated to serve as an organ donor, for the organ donation procedure itself, and for recovery time to the extent prescribed by the surgeon, not to exceed the time periods designated above for each type of donation. **Leave for organ donation is a separate category of leave that is in addition to vacation and sick leave.** If time is needed in addition to Living Organ Donor Leave, such time can be taken as sick leave or vacation leave.

An Employee who desires to commence the process to serve as a Living Organ Donor must notify his or her Supervisor of their intention to serve as a Living Organ Donor as soon as possible after making the decision to do so. Such employees will be required to provide a certification from either the physician performing the evaluation procedure or the surgeon performing the transplant, confirming the Employee’s status as a Living Organ Donor. The certification should be provided no later than one week prior to the commencement of leave except in an emergency situation in which case the certification must be provided within ten (10) days following the commencement of the leave. Failure to provide the medical certification will result in denial of Living Organ Donor Leave. A recertification and fitness to return to work form may be required at the option of the Company.

Employees who serve as Living Organ Donors and who comply with all certification requirements will be returned to the same or a substantially equivalent job upon return from Living Organ Donor Leave, and all benefit programs will remain in effect throughout any period of Living Organ Donor Leave.



EMPLOYEES :  
15,000

## MEDICAL SERVICES



EMPLOYEES :  
159

“All **full-time employees** are eligible to receive **up to 30 days paid leave** annually for donating an **organ** or up to **7 days for bone marrow donation.** Living organ donor leave does not necessarily have to be taken consecutively.

Your job will be protected while you are out on this leave, and all employee benefits will continue during this time.

Appropriate medical documentation is required and must be approved by Human Resources before the leave is granted.

This policy is in support of our employees and states a minimum commitment. This policy does not conflict with local laws and regulations. In situations where local laws and regulations are broader than the policy stated above, COMPANY will revert to the locally applicable law and/or regulation.”

## BIOTECHNOLOGY

“If you donate an organ, you are eligible for paid organ donation leave for the time you are disabled due to this donation (**up to 26 weeks**), and benefit coverage will continue for you during this time. This leave is paid under the **Short-Term Disability (STD) program.** Your job will be protected while you are out on this leave, and it will **not count against FMLA leave** needed for another FMLA-eligible leave in the same 12 month period.

The COMPANY STD Plan will make payments for up to 26 weeks. Coupled with your State and Short-Term Disability Insurance (SDI) payments, you will receive **100% of net pay** during this time, through payments that come from both the state and the company. After 26 weeks, you may be eligible for Long-Term Disability benefits.”



EMPLOYEES :  
WITHHELD

**NEED MORE INFORMATION?  
LIVINGDONORCIRCLE.COM**