

The University of Wisconsin System
UPS OPERATIONAL POLICY: BN 6



SUBJECT: Paid Leave of Absence for Bone Marrow
& Human Organ Donation

Original Issuance Date: July 1, 2015

Last Revision Date:

1. POLICY PURPOSE:

The purpose of this policy is to establish a leave policy for UW System employees who serve as a bone marrow or human organ donor.

2. POLICY BACKGROUND:

Effective May 24, 2000, [1999 Wisconsin Act 125](#) created [Wis. Stat. § 230.35\(2d\)](#), which provides for State of Wisconsin employers to grant a paid leave of absence to classified state employees to donate bone marrow or a human organ. This provision is also referenced in [Wis. Admin. Code § ER 18.17](#).

[Regent Resolution 8228](#) (adopted 10/6/2000) created the Bone Marrow and Human Organ Donation policy for faculty, academic staff and limited appointees consistent with [Wis. Stat. § 230.35\(2d\)](#). Its administration was included in [University Personnel Guideline #10: Unclassified Staff Sick Leave Policy](#).

Effective July 1, 2015, leave policies for all UW System employees who are bone marrow or human organ donors will be set forth in this policy.

3. POLICY DEFINITIONS:

Please see UPS Operational Policy [GEN 0: General Terms and Definitions](#) for a list of general terms and definitions.

Definitions specific to this policy:

"Bone marrow" means the soft material that fills human bone cavities, [Wis. Stat. § 146.34\(1\)\(a\)](#).

"Human organ" means a heart, lung, liver, pancreas, kidney, intestine, or other organ that requires the continuous circulation of blood to remain useful for purposes of transplantation, [Wis. Stat. § 230.35\(2d\)\(a\)2](#).

4. POLICY:

A UW institution must grant eligible faculty, academic staff, limited appointees and university staff a paid leave of absence to serve as a bone marrow or human organ donor.

A. Eligibility

In order for an employee to receive a paid leave of absence to serve as a bone marrow or human organ donor, the employee must satisfy **both** of the following conditions:

- (1) The employee must be in a faculty, academic staff, limited or university staff appointment that earns sick leave; and
- (2) Prior to the donation of an organ or bone marrow, the employee must provide written verification of the employee's intent to serve as a bone marrow or human organ donor. The employee and employee's physician must complete the University of Wisconsin System [*Intent to Donate Bone Marrow or a Human Organ \(UWS 425\)*](#) form before the paid leave of absence is granted.

As an alternative to the completion of the above form, the employee may submit the same information requested on the form in a different written format such as an email, memo or letter.

B. Guaranteed Paid Leaves

The following paid leave periods are guaranteed and are not subject to institutional approval. Time off should not be charged to any leave category during this period.

- (1) Five working days to serve as a bone marrow donor
- (2) Thirty working days to serve as a human organ donor

If additional leave/recovery time is required, the employee may use paid leave, including sick leave if appropriate, or the donor may be placed on a leave without pay. Any leave requested in addition to the time provided for in this policy, is subject to institutional approval.

C. Pay/Service

An employee granted a paid leave of absence under this policy will receive his/her base pay, without interruption, during the leave of absence period. For the purposes of determining continuous service, pay or pay advancement, and performance awards and for the receipt of any benefit that may be affected by this leave of absence, the service of the employee will be considered to be uninterrupted by the leave of absence.

D. FMLA/WFMLA

Bone marrow and human organ donation will generally meet the requirements and conditions of the Wisconsin (WFMLA) and Federal Family and Medical Leave Acts (FMLA) and should be administered concurrently with the employee's FMLA/WFMLA leave rights according to UPS Operational Policy [BN: 4 Wisconsin and Federal Family and Medical Leave Acts](#).

5. RELATED DOCUMENTS:

[UPS Operational Policy BN 3: Sick Leave](#)

[UPS Operational Policy BN 4: Wisconsin and Federal Family and Medical Leave Acts](#)
University of Wisconsin System [Intent to Donate Bone Marrow or Human Organ \(UWS 425\)](#)

6. POLICY HISTORY:

[1999 Wisconsin Act 125](#)

Wis. Stat. § [230.35\(2d\)](#), [State office hours; standard workweek; leaves of absence; holidays](#)

Wis. Admin. Code § [ER 18.17](#), [Paid leave to serve as a bone marrow or organ donor](#)

[Regent Resolution 8228](#) (adopted 10/6/00)

[University Personnel Guideline #10: Unclassified Staff Sick Leave Policy](#)

[OSER Bulletin CLR/POL-54 \(June 12, 2000\): Notification of Statutory Change Regarding Leaves of Absence for State Employees to Participate as Bone Marrow or Human Organ Donors](#)

Reviewed by the Board of Regents, April 10, 2015