



OLD DOMINION UNIVERSITY

University Policy Template

Policy #6301

BONE MARROW AND ORGAN DONATION LEAVE (INTERIM POLICY REVISIONS)

Responsible Oversight Executive: Vice President for Talent Management and Culture

Date of Current Revision or Creation: July 1, 2024

A. PURPOSE

This policy authorizes eligible employees to use up to 30 workdays of paid leave in any calendar year, in addition to other paid leave, to donate bone marrow or organs.

B. AUTHORITY

[Virginia Code Section 23.1-1301, as amended](#), grants authority to the Board of Visitors to make rules and policies concerning institution. Section 7.01(a)(6) of the [Board of Visitors Bylaws](#) grants authority to the President to implement the policies and procedures of the Board relating to University operations.

[Virginia Department of Human Resource Management Policy 4.37 - Leave to Donate Bone Marrow or Organs](#)

C. DEFINITIONS

Administrative and Professional (A/P) Faculty - Employees who perform work directly related to the management of the educational and general activities of the institution, department or subdivision or whose professional positions serve the educational, research, athletic, medical, student affairs, and development functions or activities of the institution.

Administrative and Professional (AP) Medical Faculty – Employees who have administrative or professional duties directly related to the management or administration of, or patient care services in, a clinical care setting on behalf of EVMS Medical Group.

Administrative and Professional (AP) Medical Restricted Faculty – Employees who have been accepted in the Eastern Virginia Medical School Graduate Medical Education (GME) Program and have the title of Resident, Chief Resident, or Fellow.

Catalog of Federal Domestic Assistance - Defines project grants to include fellowships, scholarships, research grants, trainee grants, traineeships, experimental and demonstration grants, evaluation grants, survey grants, construction grants, and unsolicited contractual agreements. (Available at www.cfda.gov.)

Classified Employee - A salaried employee whose terms and conditions of employment are subject to the [Virginia Personnel Act, Code of Virginia Section 2.2-2900 et seq., as amended](#), and who is employed in a classified position.

Classified Medical Staff – A salaried employee whose terms and conditions of employment are subject to the [Virginia Personnel Act, Code of Virginia Section 2.2-2900 et seq., as amended](#), and who is employed in a classified position to perform administrative or patient care services in a clinical setting on behalf of EVMS Medical Group.

Teaching and Research Faculty - Employees whose work assignments primarily involve instruction, research, and scholarly activities, and who hold academic rank/titles.

Teaching and Research (TR) Medical Faculty—Employees who hold academic rank and whose work assignments primarily involve instruction, research, or scholarly activity for trainees in a clinical setting and/or the management or administration of, or patient care services in, a clinical setting and who have a faculty appointment in a department of the school of medicine.

Wage Employee – A non-salaried employee who receives pay for hours worked and is not covered by the provisions of the Virginia Personnel Act. Wage employees are sometimes referred to as hourly employees. Wage employees have no guarantee of employment for a particular term or a particular daily or weekly work schedule; they serve at the will of the designated hiring official and may be terminated at any time.

D. SCOPE

This policy applies to all employees of the University, including all classified medical staff and other staff, administrators, A/P faculty, TR faculty, full- or part-time, and classified or non-classified persons who are paid by the University. This policy is not applicable to wage or adjunct employee classifications, TR medical faculty, AP medical faculty, or AP restricted classifications or employees who are on disciplinary suspension.

E. POLICY STATEMENT

Paid leave under this policy provides eligible employees with the period that is medically necessary for donation of bone marrow or an organ and recuperation therefrom for up to 30 days in any calendar year. This includes all fulltime employee classifications such as non-probationary classified staff, administrative and professional faculty, and teaching and research faculty.

An employee is eligible for Bone Marrow and Organ Donation (BMOD) Leave if they are a non-probationary classified staff, administrative and professional faculty, or teaching and research faculty.

Restricted employees whose positions are contingent upon project grants as defined in the Catalog of Federal Domestic Assistance may receive paid leave for bone marrow or organ donation only if the funding source has agreed to assume all financial responsibility for this benefit in its written contract with the Commonwealth.

F. PROCEDURES

1. Eligible employees must request leave according to University and departmental procedures prior to the effective date of the leave.
2. Employees must submit medical certification to support the use and expected duration of the leave.
3. Family and Medical Leave (FMLA) - BMOD leave will not be considered FMLA.
4. Virginia Sickness and Disability Program (VSDP) - Because BMOD leave continues an employees' full pay, BMOD leave will not be considered VSDP leave. Therefore, employees who participate in VSDP must not contact the third-party administrator for the VSDP program regarding BMOD-related absences and will not receive VSDP benefits during periods that are certified for BMOD leave.
 - a. When BMOD leave is anticipated to extend beyond 30 days, employees who participate in VSDP should contact the third-party administrator for the VSDP program according to program guidelines. In these cases, VSDP eligibility including the applicable waiting period would begin following the 30 days of BMOD leave.
5. Worker's Compensation - If employees are receiving Workers' Compensation (WC) benefits when they decide to donate bone marrow or an organ, the WC benefits will be suspended during the time certified for BMOD leave. When the BMOD period ends, WC benefits will continue, as appropriate.
6. Return from BMOD Leave - Employees returning from BMOD leave will be returned to the positions they held when the leave began.
7. Extension of BMOD Leave - If it becomes medically necessary for an employee's BMOD leave to extend beyond the expected duration, up to 30 days in a calendar year, the time will be charged to other appropriate leave balances and may be considered FMLA.

Employees are responsible for ensuring that all leave is accurately reported in Web Time Entry (WTE). Supervisors are responsible for ensuring that all employees' leave is accurately reported and approved in WTE.

G. RECORDS RETENTION

Applicable records must be retained and then destroyed in accordance with the [Commonwealth's Records Retention Schedules](#).

H. RESPONSIBLE OFFICER

Executive Director of Compensation and Talent Acquisition, Division of Talent Management and Culture

I. RELATED INFORMATION

[DHRM Policy #4.37- Leave to Donate Bone Marrow or Organs](#)
[DHRM Policy #4.57- Virginia Sickness and Disability Program](#)
[DHRM Policy #4.60- Workers' Compensation](#)

[University Policy 6050 - Family Medical Leave Act](#)

[University Policy 6302 - Civil and Administrative Leave for Administrative and Professional Faculty, Classified Staff, and Wage Employees](#)

[University Policy 6303 - Emergency Disaster Leave](#)

[University Policy 6304 - Military Leave](#)

[University Policy 6305 - School Assistance and Volunteer Service Leave](#)

[University Policy 6306 – Immediate Recognition](#)

POLICY HISTORY

Policy Formulation Committee (PFC) & Responsible Officer Approval to Proceed:

Responsible Officer

Date

Policy Review Committee (PRC) Approval to Proceed:

Chair, Policy Review Committee (PRC)

Date

Executive Policy Review Committee (EPRC) Approval to Proceed:

Responsible Oversight Executive

Date

University Counsel Approval to Proceed:

/s/ Allen T. Wilson
University Counsel

June 28, 2024
Date

Presidential Approval:

/s/ Brian O. Hemphill, Ph.D.
President

June 28, 2024
Date

Policy Revision Dates: June 6, 2023; July 1, 2024

Scheduled Review Date: July 1, 2025