**55:09:04:16.  Donation of leave -- Donor requirements.** An employee is eligible to donate vested leave if the employee is employed in a position eligible for the accumulation of leave under SDCL 3-6C-4 and 3-6C-7 and has accumulated more than 80 hours of vacation leave or 120 hours of sick leave.

 The donating employee may donate vacation leave in excess of 80 hours or sick leave in excess of 120 hours. The minimum donation of vested vacation leave is one hour. The minimum donation of vested sick leave is four hours. Sick leave shall be donated in increments of four hours. The donating employee may donate leave to an employee who is at the same paygrade as the donating employee or who is at a lower paygrade than the donating employee. If an employee does not have a pay grade that has been established by the Bureau of Human Resources, the employee may donate leave to an employee who is at the same rate of pay as the donating employee or who is at a lower rate of pay than the donating employee.

 **Source:** 39 SDR 99, effective December 3, 2012; 41 SDR 58, effective October 14, 2014.

 **General Authority:** SDCL 3-6C-18.

 **Law Implemented:** SDCL 3-6C-14, 3-6C-18.