

1981 WL 158179 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 12, 1981

**\*1 Re: Leave for Employees**

William S. Hall, M.D.  
State Commissioner of Mental Health  
SC Department of Mental Health  
Post Office Box 485  
Columbia, South Carolina 29202

Dear Dr. Hall:

You have recently asked this Office for its opinion as to whether the Department of Mental Health may grant one-half day off from duty to otherwise uncompensated employees who donate blood to the Red Cross. It is the opinion of this Office that your agency's practice is not authorized by State statute or a personnel regulation of the State Budget and Control Board. [See, § 8-11-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, as amended.](#)

According to [Section 8-11-230\(6\), CODE OF LAWS OF SOUTH CAROLINA, 1976, as amended](#), the State Budget and Control Board is authorized to develop policies concerning leave with pay. The Board's policy regarding such leave is found in Section III of the South Carolina State Personnel Rules Manual. The Board's leave with pay provisions cover annual leave, holiday pay, compensatory time, sick leave, court attendance leave, election leave, military leave and death-in-the-family leave.

You have presented seemingly sound reasons for your desire to grant leave to blood donors. You might want to appeal the absence of such a leave provision in the Personnel Manual to the Board, pursuant to [Sections 8-11-230\(11\) and 240, CODE OF LAWS OF SOUTH CAROLINA, 1976, as amended.](#)

Sincerely,

Barbara J. Hamilton  
Assistant Attorney General

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