

Policy 3-3-1 RESTRICTED VACATION LEAVE SHARING POLICY

DISTRIBUTION: Mayor and City Council
All Departments

SUBJECT: Vacation leave sharing

PURPOSE: To permit City employees to donate accrued vacation leave to a fellow City employee who is suffering from or has an immediate family member suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition which has caused or is likely to cause the employee to take leave without pay or terminate employment.

BACKGROUND:

POLICY/

PROCEDURES: See Attached Exhibit "A"

EFFECTIVE DATE/RESCISSION: This policy shall be effective on October 2, 2005.

RESPONSIBLE

DEPARTMENT: Human Resources



JOHN TYLER HAMMONS, MAYOR
February 10, 2009

(seal)

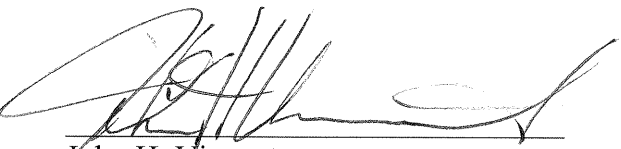
ATTEST:



PAMELA S. BUSH, City Clerk



APPROVED as to form and legality this 2nd day of April, 2009.



John H. Vincent
City Attorney

RESTRICTED VACATION LEAVE SHARING POLICY

Section 1: The purpose of vacation leave sharing is to permit City employees to donate accrued vacation leave to a fellow City employee who is suffering from or has an immediate family member suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition which has caused or is likely to cause the employee to take leave without pay or terminate employment.

Section 2: As used in this policy:

1. Immediate family member shall be limited to the spouse, child, and parent (s) of the employee
2. "Severe" or "Extraordinary" means serious, extreme, or life threatening, and
3. "City employee" means a regular classified full time employee with over twelve (12) months of continuous service with the City. It does not include employees in a probationary or part-time status.

Section 3: An employee may be eligible to received shared leave pursuant to the following conditions:

1. A request by the Department Head has been made to the Personnel Director
2. The City Manager determines that the employee meets the criteria described in this policy, and
3. The employee has abided by City policies regarding the use of sick leave

Section 4: An employee may donate vacation leave to another employee only pursuant to the following conditions:

1. The receiving employee must have exhausted or will exhaust all forms of paid leave including vacation, sick, and compensatory leave due to an illness, injury, impairment, or physical or mental condition, which is extraordinary or severe in nature and involves the employee or immediate family member of the employee
2. The condition has caused, or is likely to cause, the receiving employee to go on leave without pay or terminate employment,
3. The City Manager permits such leave to be shared with an eligible receiving employee, and
4. The donating employee may donate any amount of vacation leave provided the donation does not cause the vacation leave balance of the donating employee to fall below eighty (80) hours.

Section 5: The City Manager shall determine the amount of donated leave an employee may receive and only authorize a receiving employee to use up to a maximum of two thousand eighty (2080) hours during total City employment.

Section 6: The City Manager shall require the receiving employee to submit, prior to approval or disapproval, a medical certificate from a licensed physician or health care practitioner verifying the severe or extraordinary nature and expected duration of the condition.

Section 7: The receiving employee shall be paid his or her regular rate of pay; therefore, one hour of shared leave may cover more or less than one hour of the salary of the recipient. The calculation of leave value of the recipient shall be in accordance with Personnel Department policies, regulations, and procedures. The dollar value of the leave is converted from the donor to the recipient. The leave received will be designated as shared leave and be maintained separately from other leave balances.

Section 8: Any donated leave may only be used by the recipient for the purposes specified in this Policy.

Section 9: All forms of paid leave available for use by the recipient shall be used prior to using shared leave.

Section 10: Any shared leave not used by the recipient during each occurrence as determined by the City Manager shall be returned to the donor. The shared leave remaining over one-quarter (1/4) hour will be divided among the donors on a prorated basis based on the original donated value and returned at its original donated value and reinstated to the vacation leave balance of each donor.

Section 11: The receiving employee will be under no obligation to repay donated leave.

Section 12: All donated leave must be given voluntarily. No employee shall be coerced, threatened, intimidated, or financially induced into donating vacation leave for the purposes of the Leave Sharing Policy. The decision of an employee to donate or not donate leave shall not be considered for employment purposes such as promotions, salary increases, or in disciplinary proceedings.

Section 13: The donating employee shall submit a "Request to Donate Leave" form to the Personnel Department which shall state the amount of time donated and to whom the leave is donated. Such forms will be available in the Personnel Department within ten (10) days of Policy approval by City Council.

Section 14: Donating employees can transfer on an hour for hour basis accrued compensatory time leave into vacation leave to replace donated vacation leave. The compensatory time transferred shall not exceed the number of vacation hours donated. The donating employee shall submit a "Request to Transfer Leave" form to the Personnel Department at the same time he/she submits the "Request to Donate Leave" form mentioned in Section 13. Such forms will be available in the Personnel Department within ten (10) days of Policy approval by City Council.

Section 15: The receiving employee will not accrue vacation or sick leave while on donated vacation leave.

Section 16: Donating sick time, injury leave, or workers' compensation leave benefits from one employee to another will not be permitted.

Approved by the City Council on October 2, 2005