

Memorandum

To: Honorable Mayor Shetter and members of the Burleson City Council

From: Maria Reed, Director - Human Resources

Date: January 20, 2009

Subject: Minute order MO-09-053, approving the Human Resources policy – Shared Sick and Vacation Donation Policy

Council Action Requested:

Approve MO-09-053, approving the Human Resources policy – Shared Sick and Vacation Donation Policy.

Background Information:

In December 2008 Maria Reed, Human Resources Director, discussed the general concept of employees having the opportunity to donate accumulated sick or vacation benefits to a fellow employee who has been approved to receive such donations due to a catastrophic illness. Specific parameters to qualify to receive donations are in place (see attached policy).

Board/Citizen Input:

N/A; reviewed with Human Resources and City Manager's office.

Financial Considerations:

Use of accumulated sick and/or vacation hours.

Attachments:

Policy; Shared Sick and Vacation Donation Policy.

Staff Contact:

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**Human Resources Department
The City of Burleson**

Policy Name: Shared Sick and Vacation Donation Policy

Effective Date: 12/12/08

1.0 General Policy Statement:

1.1 The purpose of this policy is to outline provisions where employees may donate available sick and vacation hours to the benefit of another employee who has a catastrophic medical condition, resulting from a non-work related injury or illness, or a member of the immediate family residing in the primary residence. Shared sick or vacation leave may not be used for maternity leave for a healthy baby delivery.

2.0 Responsibility:

2.1 The City Manager & Deputy City Managers: It is the responsibility of the City Manager and Deputy City Managers to review, consider, approve or deny requests.

2.2 The Human Resources Director: It is the responsibility of the Human Resources Director, or her designee, to accept requests, interview employees regarding circumstances of need, make recommendations, and initiate the needed paperwork to assure approved requests are processed correctly and rejected requests are documented and employees are notified. The Human Resources Department may communicate with the attending physician's office as needed to determine the best medical estimate for the person's time away from work.

2.3 Directors: It is the responsibility of the Directors to provide input regarding the employee's medical circumstance, projected time away, recommendations, etc.

2.4 The Payroll Staff Accountant: It is the responsibility of the Payroll Staff Accountant to assist Human Resources in making entries to the payroll system to deduct and add hours as approved.

3.0 Donation Limits:

- 3.1 Qualifying employees (as listed under "Receiving Allocations" below) may receive no more than 1040 hours (in 160 hour increments of donation at one time, from all donating employees). If a need exists beyond the 160 hour initial donation, circumstances will be reviewed and considered again for additional hours.
- 3.2 Giving allocations: Employees who wish to donate hours of available sick or vacation to the benefit of another employee who is catastrophically ill or who is caring for an immediate family member in the home who is catastrophically ill, may donate if;
- A. He/She has been employed with the City at least six months.
 - B. He/She has at least eighty (80) hours of benefit remaining in the benefit from which they are donating (vacation/sick) following donation.
 - C. The employee may donate no more than 24 hours to the employee who has been approved to receive hours.
 - D. If an employee who has donated sick leave resigns/retires or leaves the employment of the city (for any reason) before the donated hours have been re-accumulated in his/her sick balance, those hours yet to be reaccumulated will be deducted from the available hours he/she may take as a part of their exit benefits. For example:

Employee X donates 16 hours from their sick leave balance to Employee Y who has been approved to receive donated sick time. Three weeks later Employee X resigns having only replaced 4 hours of the donated time in his own sick balance. Employee X's maximum sick time to be paid out will be reduced by 12 hours (16-4).

4.0 Receiving and Donating:

- 4.1 Receiving allocations: Employees may be eligible to receive donations if;
- A. A physician has documented the need for the employee to be off beyond the expiration of the employee's available vacation/sick/comp or any other benefit hours.
 - B. The need to be off qualifies under the provisions of the Family Medical Leave Act both in medical necessity, length of service provisions, and maximum allocated hours.
 - C. The employee has not already received the maximum allowable 1040 hours of time.
 - D. The employee has not been given written discipline or verbal warning (as documented by the department head) about the abuse of vacation or sick leave benefits in the prior 12 months.

E. The maximum number of hours an employee may receive during employment with the City of Burleson is 1040 hours.

4.2 Procedures to apply to receive vacation hour donations from others:

A. Notify Human Resources for the appropriate form and provide physician documentation. Physician documentation will be required that specifies the best medical estimate of the time to be missed.

B. Complete form.

C. Return to Human Resources.

D. Wait for notification.

4.3 Procedures to donate:

A. Review vacation balance on most recent pay stub to establish if there are enough available hours.

B. Complete donation form and submit to Human Resources.

C. Wait for notification via email from Human Resources regarding your donation.

5.0 Other Provisions:

5.1 The value of donations will be calculated at the value of the receiving employee's rate of pay.

5.2 If the employee dies while receiving donated hours, the beneficiary of record will receive up to 160 hours or whatever is remaining in the donation balance that is unused, whichever is less.

5.3 If an employee elects to retire or resign employment while receiving donated vacation hours, he/she forfeits donated hours and they are not paid as part of the exit wages.

5.4 Those employees who have a catastrophic medical condition as a result of a work related injury or illness are referred to the provisions of the Worker's Compensation regulations, and are not eligible to receive donated shared vacation or sick leave.