

Time Donation Programs**4.2.10****PURPOSE**

The City recognizes that situations may arise when an employee suffers a prolonged or catastrophic illness or injury necessitating extended absence from work for which the employee has not accumulated sufficient paid leave. When the employee exhausts all paid leave, other employees may desire to assist by donating a portion of their own earned vacation and/or compensatory time to their coworker. The City's Time Donation programs allow employees to donate earned vacation and/or compensatory time to another employee who has the need for such time because of a prolonged or catastrophic medical condition.

AUTHORITIES

If applicable Memoranda of Agreement (MOA) includes a Catastrophic Illness Time Donation (CITD) provision, it will state which full and part-time benefited employees are eligible, and may establish additional eligibility requirements. Applicable MOA will supersede the general provisions in this policy. For those bargaining units without a CITD provision in the MOA, eligibility is defined below.

Employees who are members of the International Association of Firefighters, Local 230, are exempted from the provisions of this policy because they have MOA provisions on CITD that restrict its use to personal illness or injury and does not limit the amount of donated time an employee is eligible to receive. This program shall not supersede the respective MOA. The procedures section of this program shall apply to Local 230 members who request person-to-person time donations for personal catastrophic illness or injury.

CITD POLICY**A. Catastrophic Illness Time Donation (CITD):****1. Eligibility to Receive Donations**

This policy shall apply when an eligible City employee must be absent from work for an extended period of time due to a non-job related illness or injury which is medically catastrophic (e.g., the illness/injury is extremely serious, totally incapacitating, and life-threatening) and the employee has exhausted all paid leave. CITD leave may be considered Family Medical Leave under the Family Medical Leave Act

- a. If applicable Memoranda of Agreement (MOA) contains a CITD provision, it will state which full and part-time benefited employees are eligible. For those bargaining units that do not have a CITD provision in their MOA, eligibility is defined herein.
- b. The employee experiences a non-job related catastrophic illness or injury, which has required him or her to be absent for a period of 30 consecutive or cumulative days or more, within the previous six months. The expected condition and term of absence must be verified by the City's physician in consultation with the employee's treating physician.
- c. The eligible employee must show the need to care for an eligible family member who is catastrophically ill. Eligible family members are defined as:

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1. A legal spouse or a registered Domestic Partner and is receiving City health benefits
 2. A person under 18 years of age, or a person incapable of self-care because of a physical or mental disability who is a biological, adopted, foster or step child, or a ward of the employee
 3. A person for whom the employee is charged with a parent's legal rights, duties and responsibilities.
- d. The employee is an active employee (full or part-time benefited) who is eligible for paid leave.
 - e. The employee has exhausted all paid leave (personal leave, sick leave, vacation, compensatory time and executive leave) or will have exhausted all paid leave by the time donations can be processed.

2. Criteria for Donating Time

To be eligible to donate hours, an employee must meet all of the following criteria.

- a. The donor must have sufficient earned compensatory and/or vacation time to cover the requested transfer
- b. City employees may voluntarily donate accrued vacation and/or compensatory time either:
 1. to a specific eligible employee or
 2. to a non-specified eligible employee to be utilized by any eligible employee should the need arise

3. Relationship to Salary Continuation (Long-Term Disability) Insurance

Voluntary donations of paid leave are intended to assist the seriously ill or injured employee who would otherwise have no regular income. For employees who are covered by the City's group insurance plan for salary continuation (long-term disability) donated leave is treated as sick leave, and is therefore an offset to benefits in accordance with that insurance plan.

4. Excess Donated Time

Donated time will be processed in increments of no more hours than the employee can use in a three month period. In the event the employee returns to work before using all of his/her processed donations, the recipient will retain the excess as sick leave. Donations may not be revoked.

5. Approval to Receive Donations

- a. The Human Resources Department will review any CITD request submitted and determine whether the process of donation of paid leave may proceed based on the provisions of this policy.

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- b. The City's physician will review documentation of the employee's or eligible family member's medical condition, in consultation with the treating physician, and determine whether or not the condition meets the medical criteria of a catastrophic illness or injury.
- c. Donated time may not be retroactive (i.e., donated time cannot be applied to any employee absence prior to the date on which the required medical documentation is received by the Human Resources Department).
- d. No donations will be accepted until the City's physician has qualified the recipient's or his/her family member's condition as medically catastrophic, and the Human Resources Department has verified that all other criteria are met.
- e. When CITD designation has been approved, a donation form specifically for the ill or injured employee will be created by Human Resources. The CITD form shall not be distributed prior to specific case approval.
- f. The employee or his/her department Director will designate a CITD Liaison to distribute donation forms and facilitate the acceptance of donated time after CITD designation has occurred.

6. Approval to Make Donations

Donations cannot be made until the Human Resources Department has determined that the intended recipient employee is eligible to receive donations. The employee or his/her Department Director will designate a CITD Coordinator to distribute donation forms and facilitate the acceptance of donated time.

7. Maximum Donation

- a. A recipient employee is eligible to receive a total maximum of 1040 hours of donated leave time during their employment with the City. The amount of donated leave available to an employee shall be appropriately prorated for part-time benefited employees.
- b. If an eligible employee exhausts the maximum 1040 hours of donated leave and if the employee's or eligible family member's catastrophic illness or injury prevents the employee from returning to work, the employee or the employee's designee may apply for an increase to the maximum to 2080 total hours of donated leave. Application for the increased maximum shall be made to the City Manager through the Office of Employee Relations. The application shall include a recommendation from the Department Director and shall be evaluated based upon the operational impact on the employee's department and subject to the re-verification of the medical condition to determine if the illness or injury still qualifies and prevents the employee from returning to work. The decision of the City Manager regarding an application for an increase to the maximum donated leave is final and is not subject to appeal.

8. Donations to Non-Specified Employee(s)

- a. Donations to a non-specified employee can be made at any time.

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- b. Donations designated as non-specified will not be deducted from the donor employee's compensatory and/or vacation leave balances until such time as they have been awarded to an eligible employee. The donation is to be rescinded if donated hours are not converted before the end of pay period 24.
- c. Donor employees may elect to have their unused person-to-person donations designated as non-specific employee donations
- d. Employees requesting donations established as non-specific employee donations shall be utilized on a first come, first served basis. Employees are required to exhaust all of their person-to-person time donations before being eligible for non-specific employee donations.

9. Method of Converting Donated Hours

Donations may be made in 1/2-hour increments and will be transferred on a dollar-for-dollar basis. Each donor will complete a donation form provided by the Human Resources Department on which the donor specifies the number of hours to be donated. The dollar value of the time will be calculated at the donor's current pay rate. This dollar value will then be converted to sick leave hours for the recipient, to the nearest 1/2 hour, based on the recipient's current pay rate.

10. Confidentiality

Donations will be entirely voluntary and confidential. Care will be taken by everyone involved in the process to emphasize the voluntary nature of contributions and to maintain the confidentiality of employee medical information. Names of donors will be kept confidential, except where the donor requests that his or her identity be made known to the recipient. No information regarding the nature of the illness or injury will be divulged to other employees by anyone with access to such information.

B. Catastrophic Illness Time Donation (CITD) Procedures

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| Employee (or employee's family, or representative of employee) | 1. Contacts the employee's Department Director to request donations of vacation or compensatory time to be used as sick time due to a catastrophic illness or injury. |
| Department Director | 2. Contacts the Human Resources Director to request initiation of the CITD program on behalf of the ill or injured employee. |
| | 3. Appoints a CITD Departmental Coordinator |

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| Employee's Treating Physician | 4. Provides information to the City physician to substantiate the catastrophic nature of the employee's medical condition or the medical condition of a qualifying family member. |
| City Physician | 5. Advises the Human Resources Director that the employee's illness or injury either is or is not a catastrophic condition. |
| Human Resources | 6. Approves or disapproves the CITD request, based on determination of City physician and whether or not other CITD program requirements are met, and advises the employee and the employee's Department Director of this approval or denial. For an approved CITD request, Human Resources provides the CITD Coordinator donation forms and instructions, and notifies the employee that donations are being accepted. |
| | 7. For non-specified employee donations, holds each donor employee's donation application until such time as any eligible employee will utilize it. Returns unused donation forms in pay period 24. When a donation will be utilized, checks the donor employee's earned leave balances, prepares a summary list of donors and hours donated for vacation and compensatory time and submits to Compensation Accounting. |
| CITD Coordinator | 8. Provides donation forms to anyone who asks, communicates with the employee and coordinates actions as needed. |
| Each Donor Employee | 9. Completes donation form authorizing a specific number of hours to be transferred from earned vacation and/or compensatory time balances, and returns form in a sealed envelope marked "Confidential" to the CITD Coordinator or to the Human Resources Department. |
| Human Resources | 10. Checks each donor employee's earned leave balances, prepares a summary list of donors and hours donated for vacation and compensatory time, and submits to Compensation Accounting. |
| Payroll | 11. Determines the dollar value of each donor's hours, based on the donor's current pay rate; converts dollar value to appropriate paid sick leave hours, based on the recipient's current pay rate; adjusts vacation/comp time balances of each donor; credits the sick leave balance of the recipient, and reports the amount of sick leave credited and date when this sick leave is available for use to Human Resources. |
| Departmental Timekeeper | 12. Completes timesheets for recipient employee each pay period, designating hours used under the CITD program as sick leave; advises the insurance company of any change to the Timekeeper's Statement for salary continuation (long-term disability) insurance claim, if one was submitted. |

PITD POLICY**A. Personal Illness/Injury Time Donation (PITD):**1. Eligibility to Receive Donations

This policy shall apply when an eligible City employee must be absent from work due to a non-job related personal illness or injury and the employee has exhausted all paid leave. Employees are eligible for donations for absences of at least one (1) day, up to a maximum of thirty (30) consecutive calendar days immediately following an initial absence of at least thirty (30) consecutive calendar days. Donations to eligible employees under the PITD are limited to no more than what the employee can use in a one-month period (maximum of twenty-two (22) working days) for the same qualifying illness or injury. PITD leave may be considered Family Medical Leave under the Family Medical Leave Act (FMLA). Employees who have received donations under the PITD program must wait at least one calendar year before reapplying for PITD donations. The City reserves the right to deny PITD requests.

- a. The employee is an active employee (full or part-time benefited) who is eligible for paid leave.
- b. The employee has exhausted all accrued paid leave (sick leave, vacation, compensatory time, personal leave and executive leave) or will have exhausted all paid leave by the time donations can be processed.

2. Criteria for Donating Time

City employees will be able to voluntarily donate accrued vacation and/or compensatory time for transfer to another eligible employee in situations that meet all of the following criteria:

- a. The donor is an active employee (full or part-time benefited) who is eligible for paid leave.
- b. The donor has sufficient earned compensatory or vacation time to cover the requested transfer.

3. Relationship to Salary Continuation (Long-Term Disability) Insurance

Voluntary donations of paid leave are intended to assist the ill or injured employee who would otherwise have no regular income. For employees who are covered by the City's group insurance plan for salary continuation (long-term disability), donated leave is treated as sick leave, and is therefore an offset to benefits in accordance with that insurance plan.

4. Excess Donated Time

Donated time will be processed in increments of no more hours than the employee can use in a one month period. In the event the employee returns to work before using all of his/her processed donations, the recipient will retain the excess as sick leave. Donations transferred to the recipient's sick leave balance may not be revoked.

Time Donation Programs**4.2.10****5. Approval to Receive Donations**

The Human Resources Department shall be provided with medical verification that the employee's condition will require more than thirty consecutive calendar day absence from work. The City reserves the right to request additional medical verification. No donations will be accepted until the Human Resources Department has received this medical documentation and all other criteria are met. Donated time may not be retroactive (i.e., donated time cannot be applied to any employee absence prior to the date on which the required medical documentation is received by the Human Resources Department).

6. Approval to Make Donations

Donations cannot be made until the Human Resources Department has received medical verification that the employee's illness or injury will require at least a thirty consecutive calendar day absence from work. The employee or his/her Department Director will designate a PITD Coordinator to distribute donation forms and facilitate the acceptance of donated time.

7. Maximum Donation

A recipient employee is eligible to receive a total maximum donation of leave of the total number of hours that the recipient employee can use in a one (1) month period during their employment with the City. The amount of donated leave available to an employee shall be appropriately prorated for Part-time benefited employees.

8. Method of Converting Donated Hours

Donations may be made in 1/2 hour increments and will be transferred on a dollar-for-dollar basis. Each donor will complete a donation form provided by the Human Resources Department which specifies the number of hours to be donated. The dollar value of the time will be calculated at the donor's current pay rate. This dollar value will then be converted to sick leave hours for the recipient, to the nearest 1/2 hour, based on the recipient's current pay rate.

9. Confidentiality

Donations will be entirely voluntary and confidential. Care will be taken by everyone involved in the process to emphasize the voluntary nature of contributions and to maintain the confidentiality of employee medical information. Names of donors will be kept confidential, except where the donor requests that his or her identity be made known to the recipient. No information regarding the nature of the illness or injury will be divulged to other employees by anyone with access to such information.

B. Personal Illness/Injury Time Donation (PITD) Procedures

Employee (or employee's family, or representative of employee)

1. Contacts the employee's HR Liaison to request donations of vacation or compensatory time to be used as sick time due to a prolonged illness or injury.

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| HR Liaison | <p>2. Contacts the Human Resources Department to request initiation of the PITD program on behalf of the ill or injured employee.</p> <p>3. Notifies Department Director of request to receive donations through PITD.</p> |
| Human Resources | <p>4. Upon medical verification, approves or disapproves the PITD request, based on whether or not the illness or injury will prevent the employee from returning to work for more than thirty consecutive calendar days and whether or not the other PITD program requirements are met. Advise the employee and the employee's Department Director of this approval or denial. For an approved PITD request, Human Resources will request designation of a PITD Coordinator by the employee's HR Liaison, provide donation forms and instructions, and notify the employee that donations are being accepted.</p> |
| PITD Coordinator | <p>5. Provides donation forms to anyone who asks, communicates with the employee and coordinates actions as needed.</p> |
| Each Donor Employee | <p>6. Completes donation form authorizing a specific number of hours to be transferred from earned vacation and/or compensatory time balances, and returns form in a sealed envelope marked "Confidential" to the PITD Coordinator or to the Human Resources Department.</p> |
| Human Resources | <p>7. Checks the donor employee's earned leave balances, prepares a summary list of donors and donated vacation and compensatory time hours, and submits to Compensation Accounting.</p> |
| Payroll | <p>8. When notified by the Human Resources Department that an employee's donation will be utilized, determines the dollar value of each donor's hours, based on the donor's current pay rate; converts dollar value to appropriate paid sick leave hours, based on the recipient's current pay rate; adjusts vacation/comp time balances of each donor; credits the sick leave balance of the recipient, and reports the amount of sick leave credited and date when this sick leave is available for use to Human Resources.</p> |
| Human Resources | <p>9. Advises the recipient employee of leave availability and of the names of those donors who requested that their names be given to the recipient; advises the employee's Department Director and timekeeper of leave availability (but not of the names of donors).</p> |

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Departmental
Timekeeper

10. Completes timesheets for recipient employee each pay period, designating hours used under the PITD program as sick leave; advises the insurance company of any change to the Timekeeper's Statement for salary continuation (long-term disability) insurance claim, if one was submitted.

Approved:

 /s/ Alex Gurza
Director of Employee Relations

 June 1, 2007
Date