



## ADMINISTRATIVE DIRECTIVE

<b>DONATED LEAVE</b>	NUMBER	PAGE
	<b>2.01-7E</b>	<b>1 of 4</b>
	EFFECTIVE DATE	
<b>July 14, 2013</b>		

### I. PURPOSE

To provide a process for employees electing to donate accrued leave to assist another employee who has exhausted all paid leave, that is in need of additional paid time off for a serious health condition, or to care for an eligible family member with a serious health condition, as defined by the Family and Medical Leave Act (FMLA).

### II. POLICY

This policy allows employees to assist other employees by donating leave to an employee who has exhausted all paid leave and has an approved medical leave, for more than the equivalent of two consecutive workweeks.

### III. ELIGIBILITY TO RECEIVE DONATED LEAVE

- A.** The following categories of employees are eligible to receive donated leave, provided that the employee receiving the donated leave meets the following criteria:
- 1.** The employee or the family member the employee is caring for has a serious health condition as defined by the Family and Medical Leave Act, and verified by a Certification of Health Care Provider Form, submitted to Human Resources (A.D. 2.01-7C, Family and Medical Leave).
  - 2.** The employee will be absent for more than the equivalent of two consecutive workweeks.
  - 3.** The employee has exhausted all paid leave, including, but not limited to: Sick Leave, Vacation Leave, Compensatory Time, Floating/Birthday Holiday, and Personal Leave.
  - 4.** The employee is permanent and works 40 hours or more per pay period, or;
  - 5.** The employee is appointed, benefit-eligible, and works 40 hours or more per pay period.
- B.** Employees serving their initial probationary period may receive a maximum of the equivalent of two (2) work weeks of Donated Leave, with authorization from the City Manager/Designee.
- C.** Employees cannot receive Donated Leave which would result in a leave exceeding 12 consecutive months.



ADMINISTRATIVE DIRECTIVE

<b>DONATED LEAVE</b>	NUMBER	PAGE
	<b>2.01-7E</b>	<b>2 of 4</b>
	EFFECTIVE DATE	
<b>July 14, 2013</b>		

- D. Employees requesting Donated Leave must complete and submit the Request for Donated Leave form to the Human Resources Department **by close of business on the second Tuesday of the first pay period in which the Donated Leave will be made available for use** (see calendar below).

MAY						
S	M	T	W	T	F	S
		1	2	3	4	5
6 Pay Period Begins	7	8	9	10	11	12
13	14	15 Request for Donated Leave and Request to Donate Leave forms due*	16	17	18	19 Pay Period Ends
20	21	22	23	24	25	26
27	28	29	30	31		

The shaded area above illustrates a standard two-week pay period and **due date** for Donated Leave forms.  
 \*The employee must also meet eligibility requirements, defined in section III A. 1. of this A.D.

- E. Employees may not receive Donated Leave while receiving Long-Term Disability benefits.
- F. Employees may not receive Donated Leave for work-related injuries.

**IV. ELIGIBILITY TO DONATE LEAVE**

- A. Permanent and benefit-eligible appointed employees may donate Sick or Vacation Leave to an eligible employee.
- B. Employees may not donate Sick Leave at the time of their separation.

**V. PROCEDURES**

**A. Employees Requesting Donated Leave:**

1. Employees must submit the Request for Donated Leave form to the Human Resources Department.
2. A completed, current Certification of Health Care Provider form, verifying the need for leave, must be submitted to the Human Resources Department before Donated Leave can be approved.



ADMINISTRATIVE DIRECTIVE

<b>DONATED LEAVE</b>	NUMBER	PAGE
	<b>2.01-7E</b>	<b>3 of 4</b>
	EFFECTIVE DATE	
<b>July 14, 2013</b>		

3. The Human Resources Department will review the Certification of Health Care Provider form and approve or deny the request.
4. By request of the employee seeking Donated Leave, the Human Resources Department will publish the requesting employee's name, employee ID number, and department on the City Intranet.
5. Recipients must use the donated Sick or Vacation Leave as Sick Leave.
6. Donated Leave will not be made available for use until the employee has exhausted all paid leave, including, but not limited to: Sick Leave, Vacation Leave, Compensatory Time, Floating/Birthday Holiday, and Personal Leave.
7. Employees who return to work after using Donated Leave do not need to re-qualify for Donated Leave if returning to approved leave for the same, previously-approved serious health condition.
8. Donated Leave will be treated the same as unpaid leave as follows:
  - a. Pay received from Donated Leave use will not make the employee eligible for Holiday Pay. However, a day of Donated Leave will be used on a holiday, if the employee has Donated Leave available.
  - b. Donated Leave will not make an employee eligible for overtime.

**B. Employees Donating Leave to Requesting Employee(s):**

1. To donate Sick or Vacation Leave to a qualified recipient, the donor must complete a confidential Request to Donate Leave form and submit it to the Human Resources Department by the close of business **on the second Tuesday of the first pay period in which it will be made available for use** (refer to calendar in Section III. D).
2. Leave donated will remain confidential, and the names of donors will not be provided to the recipient.



ADMINISTRATIVE DIRECTIVE

<b>DONATED LEAVE</b>	NUMBER <b>2.01-7 E</b>	PAGE <b>4 of 4</b>
	EFFECTIVE DATE <b>July 14, 2013</b>	

**VI. GENERAL PROVISIONS**

- A. Donated Sick or Vacation Leave must be used in half-day or full-day increments based on the recipient’s regularly scheduled workday. **The leave will not be deducted from the donor’s leave record until actually used by the recipient.** When the Donated Leave is deducted for use by the recipient, it will not count against the donor as usage.
- B. Sick or Vacation Leave donations under this provision will be made only for the period during which the need exists, as verified by the Certification of Health Care Provider form. It is the department’s responsibility to ensure that Donated Leave transfer requests are only made for an approved leave event, per the terms of the Designation Notice.
- C. Donations of Sick or Vacation Leave to probationary employees – not to exceed the equivalent of two workweeks (e.g. 80 hours for most full-time employees) – may be permitted. The department director/designee must request the donation be allowed and the City Manager/Designee must concur that the circumstances are exceptional.
- D. All authorizations to transfer Sick or Vacation Leave will be handled by the Human Resources Department, except for donations between City Court employees donating leave to a qualified recipient who is also employed by City Court.

**Forms** All forms may be obtained through the Human Resources Department.

**References** (for a complete list of all references for the entire AD Leaves series, please see AD 2.01-7)

- 2.01-7 Employee Leaves
- 2.01-7A Vacation Leave
- 2.01-7B Sick Leave
- 2.01-7C Family and Medical Leave (FML)
- 2.01-7D Medical Leave and Parental Leave
- 2.01-7F Leaves Without Pay

**Review Responsibility and Frequency** The Human Resources Director will review this directive as needed.

**Authorized**

ASST   
 \_\_\_\_\_  
 City Manager

7-12-13  
 \_\_\_\_\_  
 Date