ARTICLE XIV
DONATED LEAVE POLICY

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I. POLICY:

This policy provides an opportunity for full-time employees to assist other employees affected by medical and or personal reasons that require their absence from work for a prolonged period, resulting in possible loss of income due to a lack of accumulated leave.

II. PURPOSE

In cases of an employee's prolonged absence from work due to a medical or personal reason or an immediate family members medical/personal condition, an employee may apply for a donation of leave after all leave (compensatory, vacation and sick leave) has been exhausted by contacting Human Resources. The employee must be in unpaid status. Town Manager is authorized to make exceptions to this policy when necessary.

III. PROVISIONS:

1. Vacation and sick leave can be donated. Leave must be donated on a one-hour to one-hour basis. The employee donating leave, must have at least 30 days of accrued leave in vacation or sick after donation.

2. An employee or supervisor may not directly or indirectly intimidate, threaten, coerce or attempt to intimidate, threaten, coerce, any other employee for the purpose of interfering with any right an employee may have to donate, receive, or use leave under this program. Such action shall be grounds for disciplinary action up to and including dismissal on the basis of the personal conduct. Individual leave records are confidential and only individual employees may reveal their donation or receipt of leave. The donating employee may not receive remuneration for the donation of sick.

3. Recipients may not bank leave donations.

4. Funds to pay the donated leave must be available in the recipient department's budget.

5. Any donated leave is taxable to the recipient. The dollar amount of any donated leave will be added to the recipients W-2 as income.

6. Donated sick time is not eligible to count towards service years in the Local Government Retirement System. The use of donated leave does not waive the "at will" employment status.

A. <u>Eligibility:</u>

a. The recipient employee must be a full-time employee working over 1,000 hours annually.

b. In order to be eligible an employee must have exhausted all paid leave at the time of donation.

c. An employee who has active discipline due to attendance issues or is not meeting attendance expectations on the performance evaluation is ineligible for participation in this program.

d. The employee cannot be in probationary status unless approved by the Town Manager.

IV. PROCEDURE

1. If all accrued leave has been exhausted, the employee may apply for a donation of leave by contacting Human Resources.

2. Once Human Resources has received the request; a recommendation will be made to the Town Manager.

3. If the Town Manager approves the request, Human Resources will send an email to all staff indicating a donation of leave is needed by an employee. Information about the employee will be kept confidential and applicable HIPAA laws will apply.

4. Employees will have a reasonable amount of time to donate leave (typically one week). The leave will be deducted from the donating employees leave accrual on the following payroll and credited to the employee in need.

V. DEFINITIONS

A. Unpaid Status: An employee is considered to be in unpaid status if the employee's work hours and/or use of paid leave for a pay period are less than 50% of that employee's regular working week.

B. Immediate Family: For town policies other than FMLA, the term "immediate family members" shall include parents, stepparents, parent-in-laws, grandparents, children, grandchildren, siblings (when employee is the sole care provider) and spouses. For the Town's FMLA limitations, please refer the FMLA policy.

Policy adopted by Selma Town Council   Effective Date: August 10, 2021.

As of August 10, 2021, this policy replaces and supersedes any previous policies or, unwritten policies or practices covering the same subject.