

Added to TW #70
9/2/14

LEAVE DONATION

SECTION 7.16

- A. Purpose: The intent of the leave donation policy is to allow Russell Township employees to voluntarily provide assistance to their coworkers who are in critical need of leave due to an extended serious health condition of the employee or a member of the employee's immediate family. It is the intent that this policy will be applied consistent with the Family and Medical Leave Act (FMLA) whose definitions/terms are similar.

- B. Definitions: For the purpose of this policy the following shall apply:
 - 1. Child: A son or daughter, including a child eighteen (18) years or over, who is incapable of self-care because of a mental and/or physical disability.
 - 2. Immediate Family: For the purposes of this policy the employee's spouse, child, or parent.
 - 3. Parent: Biological parent or an individual who stands in the place of a parent to the employee (in loco parentis); in-laws are NOT included in the definition of "parent."
 - 4. Serious Health Condition: An illness, injury, impairment, or physical/mental condition that involves a period of incapacity or treatment that requires absence from employment for more than ten (10) days and involves care by a healthcare provider. Serious health condition also includes continuing treatment or chronic or long-term incurable conditions and prenatal care. The definition of serious health condition shall be applied with reference to the FMLA definition of serious health condition.
 - 5. Spouse: Husband or wife, including common-law marriages where/when recognized.
 - 6. Transferee: A full-time employee in need and approved to receive donated leave.
 - 7. Transferor: An employee volunteering to donate leave.

- C. Policy: Employees may donate accrued sick leave and vacation leave to a fellow employee who is otherwise eligible to accrue and use sick leave. The intent of the leave donation program is to allow employees to voluntarily provide assistance to their coworkers who are in critical need of leave due to an extended serious health condition of the employee or a member of the employee's immediate family.

- D. Hours Transferred: Any hours transferred shall be transferred at the rate of pay equal to that of the transferor unless the rate of pay of the transferee is less than that of the transferor, in which case the transfer shall be at the rate of pay of the transferee.

- E. Receiving Leave: An employee may receive donated leave up to a maximum two hundred forty (240) hours if the employee to receive donated leave or a member of the employee's immediate family has a serious health condition and the employee:

1. Has completed his or her new-hire probationary period; and
2. Has submitted satisfactory documentation of a serious health condition involving the employee or the employee's spouse, parent or child; and
3. Has exhausted all sick, vacation, compensatory time or other paid leave and will also exhaust all accrued leave during the pay period for which the leave is donated; and
4. Has submitted a worker's compensation lost time claim, if applicable; and
5. Has not received a written reprimand or other discipline for absenteeism within the six (6) months preceding the leave donation.

F. Donating Leave: Employees may donate leave if the donating employee:

1. Voluntarily elects to donate leave and does so with the understanding that donated leave will not be returned; and
2. Donates a minimum of eight (8) hours up to a maximum of one hundred twenty (120) hours; and
3. Retains a sick leave balance of at least one hundred sixty (160) hours after donation of sick leave; and
4. Completes an Employee Sick Leave Donor form.

G. Administration: The leave donation program shall be administered on a pay-period-to-pay-period basis. The Fiscal Officer shall review the Sick Leave Donation Form to assure compliance with sections E and F of this policy. Donations of leave will be recorded in the order of their submission, and will be considered actually donated and deducted from the transferor's balance or credited to transferee's balance when the form is turned into the Fiscal Officer. Employees using donated leave shall not be considered in active pay status and shall not accrue leave and be entitled to any benefits to which they would otherwise be entitled. Donated leave shall be considered sick leave but shall never be converted into a cash benefit.

H. Certification: Employees who wish to donate leave shall certify:

1. The name of the employee for whom the donated leave is intended.
2. The number of hours to be donated (maximum one hundred twenty (120) hours).
3. That the employee will have a sick leave balance after donation of at least one hundred sixty (160) hours.
4. That the leave is donated voluntarily and the employee understands that the donated leave may not be returned.

- I. Confidentiality: The Fiscal Officer shall ensure that no employees are forced to donate leave. The Employer shall respect an employee's right to privacy; however, the Employer may, with the permission of the employee who is in need of leave or a member of the employee's immediate family, inform employees of their coworker=s critical need for leave donations from employees. The donation of leave shall occur on a strictly confidential and voluntary basis.

- J. Application: Employees wishing to donate or receive donated leave may pick up applications from the appointing authority.