

## Vacation Donation

### 6.8.8 Vacation Donation

County employees will be able to donate vacation time to a regular employee, hereinafter referred to as recipient, provided:

- a) The recipient, or a member of his immediate family as defined in Personnel Rule 6.7.4 c) and for whom the recipient is responsible, experiences a catastrophic and/or serious chronic illness or injury (see Definition below) which requires the recipient to be absent from work over an extended period time, and,
- b) The recipient has exhausted, or will soon exhaust, all accrued balances (sick leave, vacation leave, CTO, MTO, Personal Holiday), and,
- c) The recipient has agreed to accept the donation, if approved, and
- d) An employee will not be eligible for the Vacation Donation program if he is receiving Workers Compensation or 4850 payments, and
- e) The character of the leave shall be changed from vacation (donor) to sick leave (recipient) upon transfer of the hours. The hours shall be used hour for hour, regardless of any differing pay rate between the donor and recipient and shall be paid at the recipients pay rate.

Definition of Catastrophic Illness or Injury A serious non-work related health condition which incapacitates the employee or a member of their immediate family, and which creates a financial hardship because the employee has exhausted their sick and vacation leave, MTO, Personal Holiday, as well as CTO. A catastrophic illness or injury is defined as a serious illness, injury, impairment, physical, or mental condition that is present for a minimum of seven (7) calendar days, and that involves incapacity or treatment:

1. Connected with inpatient care (e.g., an overnight stay) in a hospital, hospice, or residential health care facility; or
2. Requiring absence of more than seven calendar days from work, and that also involves continuing treatment by (or under the supervision of) a licensed health care provider; or
3. Due to a chronic serious health condition (e.g., asthma, diabetes, epilepsy, etc.); or
4. That is long-term due to a condition for which treatment may be ineffective (e.g., stroke, terminal disease, etc.); or
5. To receive multiple treatments (including any period of recovery there from) either for restorative surgery after an accident or other injury, or for a chronic condition such as cancer or kidney disease.

Procedure:

- 1) The requesting employee must complete a "Vacation Donation: Request to Participate" form and submit a "Physician's Certification" form in order to be considered for participation in the vacation donation program. These forms shall be sent by the employee to the Human Resources Director for review. The review shall determine eligibility and if the medical certification is sufficient. The Human Resources Director will make a determination as to whether or not the request qualifies under this policy. Further verification of the nature of the catastrophic illness or injury or medical emergency may be required.
- 2) If the recipient is dissatisfied with the Human Resources Director's determination, a second review may be requested by the recipient. The second review will be made by the County Administrative Officer whose decision is final and not appealable.
- 3) If a Request to Participate form is approved, the County's Human Resources Department will authorize an electronic message to be sent (the Recipients name will not be posted) to notify all County Departments that a vacation donation request has been approved. The message will provide information on how to access the County intranet site to participate in the donation of vacation hours. The Auditor's Office-Payroll Department will be provided with the necessary Recipient information for the processing of donated hours. Donors will send completed Vacation Donation forms to the Auditor's Office-Payroll Department for processing. Donation pledge forms will be made available in the department and/or electronically for a designated period of time. The donation forms will include a statement informing the potential donor that all donations may be irrevocable once they are credited to the recipient. Donations must be made at a minimum of four (4) or more hour increments. Donors must specify the intended recipient by noting the "Request number" of the recipient on the Vacation Donation Pledge form.
- 4) Once the completed donation forms are returned to the Auditor's Office-Payroll Department, payroll staff will:
  - a. Log in each donation and assign a number based on when it is received, i.e. first donation is #1, etc.
  - b. Verify that each donor has enough vacation to cover the amount of the donation. The donor must have a sufficient leave balance on the books at the time the donation form is submitted. If the donor does not have a sufficient balance, the donation will not be processed and the donation form will be returned to the donor. Donations may not drop the donor's vacation balance below forty (40) hours.
  - c. Deduct the donated vacation from the donor's vacation balance and apply the donated hours to the Recipient.
- 5) After the recipient has exhausted all of his/her own paid leave balances, donations will be processed and credited to the recipient in numerical order until there are enough donated hours to make up a full pay period of hours (includes regular, SDI, or LTD integrations), i.e. 80 hours for a full time employee or the number of assigned hours for a part-time employee. Donations shall be on an hour for hour basis, i.e. for each hour of

vacation donated the recipient will receive one hour of sick leave. Donations received but not credited for this pay period will be held to be used in future pay periods. This process will be repeated each pay period until the recipient's status changes so that he/she is no longer eligible for vacation donation or if the recipient has received 12 months (26 pay periods of receiving donated hours) of vacation donations during their tenure with the County, whichever occurs first.

- 6) Each pay period the Auditor's Office-Payroll Department will add the appropriate number of donated hours to the recipient's sick balance. Payments will be made to the recipient based on the normal payroll schedule at the recipient's regular biweekly salary. Recipients will continue to accrue vacation and sick hours on a pro-rated basis depending upon the number of donated hours that are used in a given pay period.
- 7) When the event that caused the need for the Vacation Donation program is concluded or resolved, any remaining un-credited donations will not be processed and the donation form and credits will be returned to the donor(s) and restored to his/her vacation balance(s).
- 8) The County will immediately investigate any allegation of coercion or pressure in the solicitation of transfers for Vacation Donation and take appropriate action.
- 9) Any donated hours used by a recipient are considered compensable earnings and are subject to applicable Federal, State, and Local taxes. Deductions for any benefits premiums and retirement shall also occur. A recipient is responsible for paying the employee portion of any benefits premiums or retirement costs not paid for through the payroll deduction process.