

## RESOLUTION NO. 3746

### A RESOLUTION CREATING A SICK AND VACATION LEAVE DONATION POLICY WITHIN THE CITY OF MILES CITY PERSONNEL POLICIES

*WHEREAS*, the City of Miles City has established certain personnel policies for officers and employees of the City of Miles City, which are set forth in the City of Miles City Personnel Manual;

*AND WHEREAS*, the City wishes to adopt a new policy regarding sick and vacation leave donations;

### NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:

1. That the policy titled "Sick and Vacation Leave Donations" attached hereto as Exhibit "A" and made a part hereof, is hereby adopted by the Council, and shall be placed in the City of Miles City Personnel Policy Manual.
2. The foregoing policy shall become effective immediately upon the passage of this resolution.

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY  
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY,  
MONTANA, THIS 23<sup>rd</sup> DAY OF SEPTEMBER, 2014.**




C.A. Grenz, Mayor

ATTEST:



Lorrie Pearce, City Clerk

EXHIBIT "A"

 <b>CITY OF MILES CITY PERSONNEL POLICY</b>	Effective Date:	
	Last Revised:	
<b>Sick and Vacation Leave Donations</b>		
<b>RESOLUTION #</b>		

- **This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.**

**PURPOSE**

The City of Miles City believes that donation of sick and vacation leave is an important benefit to City employees.

**POLICY**

It is the policy of the City of Miles City for employees who are eligible to use their accrued sick and vacation leave to donate hours to be used by another employee who does not have sufficient leave hours to remain in an active pay status during an extended absence due to illness, injury, medical disability or a maternity-related disability, including prenatal care, birth, miscarriage or other medical care for the employee, child, or spouse.

**PROCEDURE**

**A. Eligibility Requirements for an Employee to Receive Donations of Sick Leave Hours:**

1. An employee must continuously be employed for the qualifying period of three (3) months to be eligible to receive sick leave donation
2. An employee, child or spouse must have an illness, injury or other qualifying condition that results in an employee's absence of at least ten (10) working days.
3. An employee must have exhausted all of his or her accrued sick leave time.
4. An employee must not be eligible for Workers' Compensation benefits.

5. Employees must have their Department Director's approval for the leave and the receipt of the sick leave donation.
  - The Department Director shall require medical certification be submitted to the Human Resources/Payroll Office prior to the receipt of donated hours.

**B. Donation of Sick Leave Hours:**

1. The donation is based on the number of hours, not on rate of pay.
2. One donated hour will be subtracted from the donating employee's sick accruals for every one hour added to the recipient employee's sick leave.
3. Donating employees must have a minimum balance of one-hundred twenty (120) hours sick leave remaining after the donation.
4. Employees may donate up to forty (40) hours of sick leave to an individual employee during a twelve (12) month period.
5. Donation of hours, once made, cannot be rescinded by the donating employee, subject to the qualification in 6 below.
6. Donated hours used by the recipient employee will be used on a first donated first used basis and paid each pay period. Hours not used by the recipient are not deducted from donor's sick leave accrual.

**C. Receipt of Sick Leave Hours:**

1. One sick leave hour will be added to the recipient employee's sick leave account for every sick leave hour donated.
2. An employee may receive a total of four hundred and eighty (480) hours of donated leave hours per twelve (12) month period.

**D. Eligibility Requirements for an Employee to Receive Donations of Vacation Leave Hours:**

1. An employee must continuously be employed for the qualifying period of six (6) months to be eligible to receive vacation leave donations.
2. An employee, child or spouse must have an illness, injury or other qualifying condition that results in an employee's absence of at least ten (10) working days.
3. An employee must have exhausted all of his or her accrued sick leave time.
4. An employee must not be eligible for Workers' Compensation benefits.
5. Employees must have their Department Director's approval for the leave and the receipt of the vacation leave donation.

- The Department Director shall require medical certification be submitted to the Human Resources/Payroll Office prior to the receipt of donated hours.

**E. Donation of Vacation Leave Hours:**

1. The donation is based on the number of hours, not on rate of pay.
2. One donated hour will be subtracted from the donating employee's vacation accruals for every one hour added to the recipient employee's vacation leave.
3. Donating employees must have a minimum balance of eighty (80) hours vacation leave hours remaining after the donation.
4. Employees may donate up to sixty (60) hours of vacation leave to an individual employee during a twelve (12) month period.
5. Donation of hours, once made, cannot be rescinded by the donating employee, subject to the qualification in 6 below.
6. Donated hours used by the recipient employee will be used on a first donated first used basis and paid each pay period. Hours not used by the recipient are not deducted from donor's vacation leave accrual.

**F. Receipt of Vacation Leave Hours:**

1. One vacation leave hour will be added to the recipient employee's vacation leave account for every vacation leave hour donated.
2. An employee may receive a total of four hundred and eighty (480) hours of donated leave hours per twelve (12) month period.

**G. Sick & Vacation Leave Donation Form:**

1. To make a sick or vacation leave donation, employees must fill out the "Sick Leave Donation" form or "Vacation Leave Donation" form and submit it to the Human Resources Payroll Office.

**CLOSING**

Employees terminating their employment with the City of Miles City shall not be entitled to a cash payout of any donated sick or vacation leave hours.



# CITY OF MILES CITY SICK LEAVE DONATION FORM

To be Submitted to the Human Resources/Payroll Office

Information for Donating Employee:

1. To make a SICK leave donation, complete and sign "Section I".
2. You may donate up to 40 hours of your sick leave to an individual City employee during a 12 month period.  
\*You must have a sick leave balance of 120 hours remaining after you make the donation.
3. If some or your entire donation is not needed, those hours will be returned to your sick leave balance.

## SECTION I: To be completed by Donating Employee

I wish to donate \_\_\_\_\_ hours of sick leave to: \_\_\_\_\_

\_\_\_\_\_  
Donating Employee's Signature

\_\_\_\_\_  
Date

## SECTION II: To be completed by the Human Resources/Payroll Office

Pursuant to the Sick Leave Donation Policy, I certify the above named donor employee has a sick leave balance of at least 120 hours after making this donation and that the employee has not contributed more than 40 hours of sick leave in the past 12 months to this individual employee.

The sick leave balance has been debited by: \_\_\_\_\_ hours on pay period ending: \_\_\_\_\_

The recipient has been given: \_\_\_\_\_ sick hours in the last 12 months.

\_\_\_\_\_  
Human Resources/Payroll Officer

\_\_\_\_\_  
Date

## SECTION III: To be completed by Department Director

Pursuant to the Sick Leave Donation Policy, I certify the above named recipient employee is eligible to receive a sick leave donation and is on an approved Leave of Absence.

\_\_\_\_\_  
Department Director

\_\_\_\_\_  
Date

\_\_\_\_\_ hours of sick leave have not been used and will be credited back to the donor's account.

\_\_\_\_\_  
Human Resources/Payroll Officer

\_\_\_\_\_  
Date



# CITY OF MILES CITY VACATION LEAVE DONATION FORM

To be Submitted to the Human Resources/Payroll Office

Information for Donating Employee:

4. To make a VACATION leave donation, complete and sign "Section I".
5. You may donate up to 60 hours of your vacation leave to an individual City employee during a 12 month period. \*You must have a vacation leave balance of 80 hours remaining after you make the donation.
6. If some or your entire donation is not needed, those hours will be returned to your vacation leave balance.

## SECTION I: To be completed by Donating Employee

I wish to donate \_\_\_\_\_ hours of vacation leave to: \_\_\_\_\_

\_\_\_\_\_  
Donating Employee's Signature

\_\_\_\_\_  
Date

## SECTION II: To be completed by the Human Resources/Payroll Office

Pursuant to the Vacation Leave Donation Policy, I certify the above named donor employee has a vacation leave balance of at least 80 hours after making this donation and that the employee has not contributed more than 60 hours of vacation leave in the past 12 months to this individual employee.

The vacation leave balance has been debited by: \_\_\_\_\_ hours on pay period ending: \_\_\_\_\_

The recipient has been given: \_\_\_\_\_ vacation hours in the last 12 months.

\_\_\_\_\_  
Human Resources/Payroll Officer

\_\_\_\_\_  
Date

## SECTION III: To be completed by Department Director

Pursuant to the Vacation Leave Donation Policy, I certify the above named recipient employee is eligible to receive a vacation leave donation and is on an approved Leave of Absence.

\_\_\_\_\_  
Department Director

\_\_\_\_\_  
Date

\_\_\_\_\_ hours of vacation leave have not been used and will be credited back to the donor's account.

\_\_\_\_\_  
Human Resources/Payroll Officer

\_\_\_\_\_  
Date