

Title: Sick Leave Donation Policy
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Authorized by: Board of Supervisors

Policy:

Eligible employees may voluntarily donate a portion of their accrued sick leave hours to assist another employee with a serious health condition. The purpose of this policy is to alleviate the hardship caused if a serious health condition forces an employee to exhaust his/her paid leave thereby losing compensation. The definition of a “serious health condition” can be found in this manual under the “Family and Medical Leave” (FMLA) policy.

Comments:

- (1) This is a voluntary program. Employees shall not be required to donate their accrued sick leave to anyone.
- (2) *Eligibility:*
Full-time employees who have completed their introductory period and who have suffered a serious health condition are eligible to receive donated sick leave if the following conditions are met:
 - (a) The employee must have exhausted all of his/her paid leave time including, sick leave, vacation, personal leave, holidays and compensatory time; and
 - (b) The employee must either provide or have a FMLA medical certification request on file with the Auditor’s Office/Payroll division; and
 - (c) The employee has not utilized 480 hours of donated sick leave during their entire employment history with Pottawattamie County.
 - (d) Employees on Worker’s Compensation or Disability Income are not eligible to receive donated sick leave.
 - (e) Donated sick leave may be used for maternity leave for up to eight (8) weeks or as is medically necessary as certified by a medical physician.

- (f) Donated sick leave may be used for the adoption of a child five (5) years and younger for up to eight (8) weeks. In addition, spouses employed by the same employer are jointly entitled to a combined leave of eight (8) weeks of donated sick leave. Donated sick leave may be used for the adoption of a child over the age of five (5) as determined by the Board of Supervisor's on a case by case basis
 - (g) Employees are not eligible for sick leave donations in order to care for an immediate family member. Donations may be used solely for an employee's serious health condition only.
- (3) Employees must apply for or be nominated by another employee in order to receive donated sick leave. Employees must complete a "Sick Leave Donation Request" form and shall submit it to the Human Resources Department. If the employee meets the criteria established above, the employee is entitled to ask for donated sick leave. The Human Resources Department does not deny or approve an employee's request based on anything other than the employee's eligibility under the criteria. The employee's "worthiness" or "degree of hardship" is not a factor and will not be considered if the employee otherwise meets the criteria.
 - (4) The Human Resource Department in conjunction with the Auditor's Office/Payroll division will maintain a list of employees who have been approved to receive sick leave donations. Unless specified in a collective bargaining unit, an employee may donate to another employee regardless of union affiliation.
 - (5) If an employee is nominated by another employee to receive donated sick leave, that employee shall be notified by the Human Resources Department in order to receive written consent to receive donations. If the employee is unable to provide written consent due to circumstances beyond his or her control, the Human Resources Department will accept donations on behalf of the employee provided the employee meets all other eligibility requirements.
 - (6) Employees are limited to receiving a maximum of four-hundred and eighty (480) hours of donated sick leave during their employment with Pottawattamie County.
 - (7) Employees may use donated sick leave during the required waiting period under the Long Term Disability Income Plan as long as disability benefits have not begun.
 - (8) Employees receiving donations will be paid a maximum of forty (40) hours per work week at their current rate of pay, not the pay rate of a donor.

- (9) The County will not inform the recipient of the names of those donating hours or the specific number of hours an employee donates.
- (10) If the employee on leave returns to work or separates from employment, any remaining donated leave will be returned to the donors. Hours will be distributed back to the donating employee based upon the date the authorization was received. Last authorization received shall be the first to be reimbursed.
- (11) Donated sick leave may result in additional time away from work by the recipient and as a result, the recipient's Department Head must agree to the transfer of sick leave time. In addition, the Department Head of the employee donating the sick leave will be notified of the donation for the purpose of accurate record keeping.
- (12) Utilization of donated sick leave shall count toward the recipient's FMLA entitlement.
- (13) Employees utilizing donated sick leave shall be considered to be on an unpaid leave of absence and shall not accrue vacation, sick leave or holidays.
- (14) While on donated leave, if the employee is not eligible for FMLA, the employee will be responsible for paying the full health insurance premium, including county contributions.
- (15) The donating employee shall complete the "Sick Leave Waiver & Donation Authorization Form" and shall specify the employee to receive the donated hours. Once a donation has been processed, neither the donor nor the recipient may revoke the transaction. A separate form must be completed for each pay period in which a donation is desired.
- (16) Donations of sick leave must be in whole hours, with a minimum of one (1) hour per donation. An employee may donate any number of sick leave hours so long as the donating employee maintains at least forty (40) hours of accrued sick leave in his or her personal account.
- (17) Terminating employees (including those retiring) may not donate accrued sick leave at the time of separation.

(18) *Definitions:*

- (a) Serious Health Condition: as defined in the “Family & Medical Leave” policy within this handbook.
- (b) Introductory Period: as defined in the “Introductory Period” policy within this handbook or as defined within respective collective bargaining agreements.
- (c) Long Term Disability Income Plan: as provided for by the county and as defined in the “Insurance Benefits” policy within of this handbook.
- (d) Recipient: A full-time county employee who is eligible to receive donated sick leave.
- (e) Donor: A full-time county employee who is eligible to donate sick leave to another employee.