

## MEDICAL LEAVE SHARING PLAN

It is the policy of the City of Greenwood (City) to allow full-time employees to voluntarily contribute unused accrued annual Paid Time Off (PTO) for use by a leave bank member (full-time employees) who is experiencing a Family Medical Emergency, as defined below, that creates a need for additional time off beyond that individual's Disability Benefit and available PTO. The City's Medical Leave Committee (Committee) will determine the number of donated hours any employee may receive from the leave bank based upon objective criteria. Any unused donated annual accrued leave must be returned to the leave bank.

### PROCEDURES

#### *Donating PTO*

To be eligible to donate accrued PTO, the employee's maximum donation cannot exceed a number which would leave the donor with less than 80 hours of available PTO. For example, if a donor has accrued 120 hours of PTO, the maximum donation would be 40 hours. The minimum donation amount is eight (8) hours for those who work 8 hour shifts or one shift for those who work 12 or 24 hour shifts.

Employees who wish to donate accrued PTO must complete a ***Voluntary PTO Donation Form*** and provide it to Human Resources for processing and approval. Any donation approved after the 15<sup>th</sup> of the month, will be processed the following month. Donations will not be allowed in January. The following guidelines must be adhered to:

- The employee who donates PTO does not realize income or incur a deductible expense.
- Donations can be made at any time during the year, except January, prior to December 1. Donations may not be rescinded for any reason.
- Donors may not specify a particular recipient.
- Donations will be kept confidential.
- The maximum amount of donations cannot exceed the period of absence for the approved medical emergency.
- PTO donations will not be transferred from the donor to the recipient until all of the recipient's existing PTO hours have been exhausted.
- Human Resources will coordinate with Finance to ensure proper recording of reduction in accrued PTO balances and payment to the leave bank. Department Heads must ensure that all Service Records are adjusted accordingly.

Employees cannot borrow against future PTO to donate. Employees who are currently on leave cannot donate PTO.

### ***Receiving PTO***

Employees who wish to request donated PTO must complete a ***Donation Recipient Form*** and ***Certification of Health Care Provider Form*** (for employees or family members). The Certification of Health Care Provider Form must be completed by the attending physician and attached to the Recipient Application. If the employee is not capable of completing the application, a personal representative may make the application on behalf of the employee. Both forms must be submitted to Human Resources for processing. Donated PTO may only be used for time off related to the approved request. The following guidelines must be adhered to:

- If the recipient has available PTO, this time must be used before accepting donated PTO.
- Must exhaust all Disability Benefits and accrued compensatory time, if applicable, prior to receiving donated PTO.
- May not receive more than 480 hours (12 weeks) within a rolling 12 month period.
- Employees who wish to request donated PTO must be in good standings and not be under any disciplinary warning or suspension.
- The employee donation is considered wages and is subject to applicable taxes.
- The employee must have a medical emergency that meets the following criteria as defined below.

### **DEFINITIONS**

#### ***Medical Emergency***

A medical emergency is a serious medical condition or major illness of the employee or an immediate family member (see below) that is likely to require the employee to be absent from duty for a prolonged period and to result in a substantial loss of income because of the employee's lack of available Disability Leave or PTO apart from the Leave Sharing plan.

#### ***Family Member***

The definition of family member covers a wide range of relatives including the following:

- Spouse and parents, step-parent, parents-in-law
- Sons and daughters, brothers and sisters
- Sons-in-law, daughters-in-law
- Grandparents and grandchildren
- Children who include biological, adopted and children placed for adoption, step-children, foster children, children under a legal guardianship, or children under the legal guardianship of the spouse.

#### ***Available Paid Time Off***

Available Paid Time Off includes an employee's accrued, reaccredited and restored annual PTO.

## **PRIVACY**

The City's Medical Sharing Leave Committee shall exercise confidentiality and take all efforts to maintain the confidentiality of any medical information submitted. If a decision is appealed to the Board of Directors of the Department of Stormwater Management, it may become necessary for certain confidential information to be shared in a public forum before the Board. No such disclosures will be made without the consent of the applicant.

## **APPROVAL OR DISAPPROVAL OF APPLICATION TO BECOME A LEAVE RECIPIENT**

The City's Medical Sharing Leave Committee must determine that a full-time employee's absence from duty without available paid leave because of the medical emergency is (or is expected to be) at least 24 work hours, which may be consecutive or intermittent. The Committee must review the employee's application, make an objective decision, and notify the employee of the approval or disapproval of the application, in writing, within 5 calendar days (excluding Saturdays and Sundays, and legal public holidays) after the date the application is received. If disapproved, the Committee must give the reason(s), in writing, for its disapproval. Once approved, the employee may receive donated PTO leave. Objective criteria utilized by the Committee shall include the severity of the medical emergency, the proximity of the familial relationship, and the extent of the potential financial hardship. The Medical Leave Committee may request additional documentation to support the existence or continuation of a medical emergency. Applicants may appeal the Medical Leave Sharing Committee's decision to the Board of Aviation Commissioners.

## **USE OF DONATED PAID TIME OFF AND THE IMPACT ON BENEFITS**

A PTO recipient may use donated annual PTO only for purposes related to the medical emergency for which the PTO recipient was approved.

- The donated hours are paid at the recipient's regular rate of pay and from the recipient's Department Cost Center. The donor does not pay income tax on the donated PTO. However, the recipient does pay applicable taxes on donated time. Donated PTO cannot be converted into cash nor cannot be liquidated if not used.
- Employees receiving other payments such as worker's compensation, short-term disability, or long-term disability provided through the City's insurance programs are not eligible to receive donations until disability or workers compensation benefits have been exhausted.
- If the employee receives compensation for at least the equivalent of 30 donated PTO hours per week, the City contributions will continue toward the cost of benefit programs provided the employee continues their portion of premiums where applicable.

## **TERMINATION OF THE MEDICAL EMERGENCY**

The medical emergency terminates:

- When the leave recipient's employment is terminated.
- The date that the leave recipient provides written notice that the medical emergency is over;
- The date the Committee determines, after written notice to the PTO recipient and opportunity for response, that the medical emergency is over; or

- The date in which the City receives notice that the PTO recipient has been approved for disability retirement.

The Committee must monitor the status of the medical emergency to ensure that it continues to affect the PTO recipient. When the medical emergency terminates, the Committee may not grant further requests for transfer of PTO to the leave recipient.

#### **RESTORATION OF UNUSED DONATED ANNUAL LEAVE**

Any unused PTO remaining to a recipient's credit on termination of the medical emergency must be restored to the PTO donation bank. The PTO donor does not recover donated PTO.

#### **MEDICAL LEAVE SHARING COMMITTEE**

The Medical Leave Sharing Committee shall consist of the Director of Human Resources, Corporation Counsel and the City Controller as appointed by the Mayor.