

RESOLUTION No. 94-08

To Adopt a Voluntary Vacation Leave Donation Policy

Whereas Polk County recognizes that supporting County employees as they balance career, illnesses and childbirth and family life ultimately benefits county employees and the County, alike; and

Whereas, it is the intent of the vacation donation policy to provide financial assistance to County employees during periods of approved unpaid leave as related to serious medical conditions.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors does adopt the Voluntary Vacation Leave Donation Policy as attached hereto and incorporated herein.

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors instructs the Employee Relations Department to develop the forms necessary for implementation of the policy adopted.

Funding Amount: N/A Funding Resource: N/A
Finance Committee Advised: N/A Finance Committee Recommendations: N/A

Approved as to Form: Jeffrey B. Fuge
Jeffrey B. Fuge, Corporation Counsel

Date Submitted to County Board: 11/12/08
Effective Date: Upon passage

Action by County Board: Adopted.

Submitted upon Recommendation of the Personnel Committee by:

Russell E. Arund 10-29-08

Seald A. Merrill

Patricia M. Schmidt

Gregory A. Lynn

Ken [Signature]

Polk County Wisconsin

VOLUNTARY VACATION LEAVE DONATION POLICY

Policy ____

Effective Date:

Current Revision Date:

Policy Statement

It is the desire of Polk County to provide for its employees an avenue in which to share vacation benefits with other employees in situations of dire need. It is the purpose of this policy to develop and define a program which enables such transfers to occur.

Scope

All employees of Polk County shall be subject to the provisions of this policy, unless alternative contractual provisions of specific items in the policy have been negotiated and agreed to in advance by the county.

Responsibility and Authority

It shall be the responsibility of the Employee Relations Director, or designee, to coordinate this program and interact between the employees involved and the Personnel Committee. The interpretation of this policy and exceptions to it shall be the sole responsibility of the Personnel Committee. The Voluntary Shared Vacation Leave Program is an initiative of Polk County and may be continued or discontinued at any time and without recourse by the participants in the program.

Guidelines

1. Voluntary Shared Vacation Leave is intended to be used by employees with an FMLA qualifying personal serious medical condition or the serious medical condition of an immediate family member as defined under Wisconsin Family Medical Leave Law.
2. Voluntary Shared Vacation Leave does not apply to incidental, normal, and/or short-term medical conditions or illnesses. This includes conditions such as short-term, sporadic recurrence of chronic allergies or conditions; short-term or sporadic absences due to contagious disease; or short-term, recurring medical or therapeutic treatments. These examples are illustrative only and are not intended to be all inclusive. Each case will be examined and decided based on its conformity to policy intent.
3. Voluntary Shared Vacation Leave is not intended to circumvent the requirement of management to have duties performed or limit management's right to deny a request for leave without pay.
4. Donated hours can be used while an employee is on a Family and Medical Leave or

- Medical Leave as described in applicable Policies or Contract. When an employee is on unpaid Medical Leave and using shared leave, the use of such leave shall comply with the applicable provision of use of accrued leave time in the governing policy or contract.
5. Employees on worker's compensation are not eligible to participate in Voluntary Shared Vacation Leave, as a recipient.
 6. Program participation is limited to 1,040 hours (prorated for part time employees) either continuously or, if for the same condition, on a recurring basis. Additional verification from the physician may be required.
 7. The employee must exhaust all available vacation, sick leave, personal and/or floating holidays and compensatory time before using any donated shared vacation leave.
 8. Shared leave ends when the employee returns to work.
 9. The establishment of a leave "bank" for use by unnamed employees is prohibited. Leave must be donated on a one-to-one personal basis.
 10. An employee may not directly or indirectly make any attempt to intimidate, threaten or coerce any other employee for the purpose of soliciting leave. Such action is considered a personal conduct issue and subject to disciplinary action, including dismissal.
 11. Polk County may release a statement that the applicant has a medical condition which qualifies under this program for purposes of executing the Program's intent. In the event the applicant wishes to divulge any additional information, medical or otherwise, he or she can do so.
 12. If multiple donations are received for a specific recipient, the donations shall occur in the sequence in which the donations were received.

Eligibility

Donor

1. Donor must retain a minimum balance of seventy-five (75) hours in their vacation leave account,
2. Donor may not donate more than forty (40) hours annually to any one or combination of individuals.

Recipient

1. Any county employee who is eligible to accrue vacations may participate in this program and may apply to receive leave donations at any time when faced with a qualifying serious medical condition.
2. Employee must have a minimum of 6 months employment with Polk County.

Application Procedure

1. A qualifying recipient may apply to receive shared leave by submitting a completed Application to Receive Voluntary Shared Vacation Leave form (See Appendix A) to the Employee Relations Director.

2. Only those applicants who currently have a “zero balance” of all paid leave account, i.e., sick leave, vacation and holidays will be considered.
3. The employee requesting the shared leave must provide a physician’s statement describing the specific nature of the medical condition, prognosis, and the estimated recovery or treatment time. The employee may utilize the Family and Medical Leave Health Care Provider Certification form for provision of this information, and attach such certification to the application form. The Employee Relations Director, or designee, or Personnel Committee reserves the right to request additional information regarding the applicant’s basis for application as needed, as well as reserving the right to request additional information or recertification throughout the duration of the applicant’s participation in this program.
4. The Employee Relations Director, or designee, will research the requesting employee’s attendance history, provide information as to paid leave balances and present the application form to the Personnel Committee for approval or denial.
5. The employee requesting the Shared Leave will be informed by the Employee Relations Director, or designee, in writing as to the results of the approval process.

Donation Procedure

1. Any eligible donor as defined under the “Eligibility” section of this policy, may donate paid leave to a similarly defined eligible recipient. Attempts to donate sick leave, compensatory time, or personal and/or floating holidays shall not be approved.
2. An employee may donate paid leave by submitting a completed Voluntary Shared Leave Donation Form (See Appendix B) to the Employee Relations Director.
3. The minimum allowable donation is twelve (12) hours.
4. At no time will a recipient be paid for more than the number of normally scheduled hours. In all cases, donations will be paid out in order of receipt of time and under the same terms and conditions as provided for under the recipient’s governing policy or contract.
5. The leave donations shall be subtracted from the donor and paid out to the recipient on an hour per hour basis. The donor’s hours shall not be debited until they have been credited to the recipient. Any donated but unused hours shall remain in the donor’s account and shall not count against the donor’s annual forty (40) hour maximum leave donation.
6. Once a specific donation has been submitted, the donor may not withdraw the donation.