

MEMORANDUM

REVISION 40 SERIES C

TO: Holders of CSA Rule Books
FROM: Career Service Board
DATE: September 18, 2009
SUBJECT: Revision to Career Service Rules

The Career Service Board has approved the revision of Career Service Rule 11-26 Donated Sick Leave. The effective date of this revision is September 18, 2009.

This rule revision allows donated sick leave to be applied to absences occurring up to 15 calendar days before the leave was posted to a recipient's account and makes it clear that City employees receiving PTO can donate leave to employees eligible for sick leave.

	<u>Page Number</u>	<u>Issuance Dates</u>
Remove:	11-7, 11-7.1	August 5, 2009
Replace	11-7, 11-7.1, 11-7.2	September 18, 2009

PLEASE INSERT IN YOUR RULE BOOK AS SOON AS POSSIBLE. THANK YOU.

11-26 Donated Sick Leave

(Effective May 13, 2009; Rules Revision Memo 37C)

- A. Donor requirements: A Career Service employee may donate sick leave to another Career Service employee provided that the employee donating sick leave:
1. Has been earning sick leave from the City continuously for the last five years; and
 2. Retains a sick leave balance of at least two hundred forty (240) hours after the donation.
- B. Recipient requirements:
1. Before an employee can receive donations of sick leave, the employee (or the employee's representative) must provide notice to the Department of Finance that the employee anticipates a need for donated sick leave. Such notice shall estimate how much donated sick leave the employee expects to use in the current calendar year. Should the employee need more donated leave beyond the original estimate, the employee shall provide notice of this to the Department of Finance before the employee can receive additional donations.

2. In order to use donated sick leave, an employee must:
(Revised effective August 5, 2009; Rules Revision Memo 39C)
 - a. Have exhausted his or her accumulated compensatory time, sick leave and vacation leave, be absent from work and;
 - i. Receiving disability leave, or temporary disability benefits under the provisions of the Workers' Compensation Act. In either of these situations, the employee may only use donated sick leave to make up the difference between the employee's base salary, and the total of other paid leave received and the temporary disability benefits the employee is receiving.
 - ii. Receiving FMLA leave;
 - iii. Receiving interactive process leave; or
 - iv. Have received written notice of a pre-disqualification meeting. The employee may use donated sick leave until disqualification occurs or until the end of the period in which a decision on disqualification must be issued, whichever occurs first.

or

- b. Have elected to substitute donated sick leave for unpaid parental involvement leave.
3. Donated sick leave can be used to cover absences that occur up to fifteen (15) calendar days before the leave was posted to a recipient's account so long as the other conditions of this section have been met
(Revised effective September 18, 2009; Rules Revision Memo 40C).
- C. Employees cannot use more than six hundred (600) hours of donated sick leave in a calendar year.
 - D.
 1. The amount of sick leave to be credited to the recipient's account shall be computed as follows:
 - a. Multiply the number of hours of sick leave being donated by the hourly rate of pay of the donor employee;
 - b. Divide the result by the hourly rate of pay of the recipient; and
 - c. Round the result down to the closest full hour.
 2. The computations made in paragraph D.1. shall be reported to the Department of Finance in accordance with procedures to be established by that office.

- E. Recipients of donated sick leave are not entitled to receive pay upon separation for unused donated sick leave. Unused donated sick leave may not be donated to another employee or returned to the donor.

- F.
 - 1. A Career Service employee may donate sick leave to a non-Career Service City employee provided that the donor requirements listed above have been met and that the recipient employee's department or agency and any applicable collective bargaining agreement allows employees to receive donations of sick leave from Career Service employees.

 - 2. A Career Service employee may receive donated sick leave from a non-Career Service City employee provided that the donor employee's department or agency and any applicable collective bargaining agreement allows employees to donate sick leave to Career Service employees and that the recipient requirements listed above have been met.

 - 3. City employees receiving paid time-off leave benefits may donate leave to Career Service employees to be used according to this donated sick leave rule provided the donor employee's department or agency allows employees to donate leave to Career Service employees and that the recipient requirements listed above have been met (Revised effective September 18, 2009; Rules Revision Memo 40C).

 - 4. A Career Service employee may donate sick leave to or receive donated sick leave from an employee covered by the Undersheriff pay schedule to the extent permitted by the applicable collective bargaining agreement and provided that the donor or recipient requirements listed above (as applicable to the Career Service employee) have been met.