City of Phoenix

ADMINISTRATIVE REGULATION	A.R. NUMBER 2.144 Revised
	FUNCTION Personnel and Payroll Page 1 of 3
SUBJECT LEAVE CONTRIBUTION TO FELLOW EMPLOYEES	EFFECTIVE DATE August 30, 2004

INTRODUCTION

Transmittal Message
This AR has been established to replace Personnel Department Letters 100 and 100-A pertaining to leave contributions. Questions regarding this AR should be directed to the Personnel Department at (602) 262-7552.

1. PURPOSE

The purpose of this Administrative Regulation is to communicate both policy and intent for the voluntary contribution of vacation leave or accrued compensatory leave for use by an employee on extended medical leave; and/or for employees on leave to care for a seriously ill immediate family member.

This regulation is intended to provide a means for assisting employees who have exhausted their sick leave and/or vacation banks before qualifying for Long Term Disability. Donated leave time is not intended to replace the Long Term Disability benefit.

Refer to the Unit's Memorandum of Understanding or agreement for additional information regarding this regulation.

2. PARTICIPATION

This is an employee-driven program facilitated and administered by the Personnel Department. The voluntary contribution and use of donated vacation hours are available to all leave-eligible City of Phoenix employees. Departments may choose to post an employee's qualification for leave donation with the employee's consent, but are not required to solicit leave donations or publicize that an employee has been approved to receive donations.

Contributions are not limited to employees within the same department. Any employee who has accumulated vacation may donate such hours. Compensatory hours may be donated by certain unit groups only. Employees with less than six months of City service may also donate.

Leave time is transferred on a per hour basis without regard for the hourly rates of either the donators or recipients.

3. GUIDELINES FOR THE CONTRIBUTION AND USE OF DONATED LEAVE

A. Donated Leave for Employee's Extended Medical Leave

In order to receive donated vacation or compensatory hours, an employee must have exhausted all vacation and sick leave, and be on an unpaid leave status. A petition may be submitted for consideration by any employee or group of employees.

Each case must have the approval of the employee's department head and the Personnel Director. Contributions can be accepted but will not be processed until the petition is approved. Reasons for denial of a petition are outlined in Section 4B.

1. Personal Illness or Injury - If an employee is expected to be off work for more than ninety (90) days, or when it becomes evident the employee will need to be off work for an extensive amount of time due to a personal illness, injury or other medical condition, he/she must apply for Long Term Disability in order to qualify for vacation donations. Vacation donations will not be authorized beyond 90 days until an employee submits an application for Long Term Disability. If the employee is approved to receive Long Term Disability, he/she may be eligible to receive contributions prior to the approved effective date of the Long Term Disability. Total contributions to one employee shall not exceed one calendar year.

   Employees who are approved for Long-Term Disability payments are not eligible to receive vacation contributions once the LTD payments begin.

   Employees who are medically required to take maternity leave prior to the birth of a child and/or those recovering from the birth of a child can petition for vacation donations if they have met the aforementioned criteria.

2. Worker's Compensation Coordination - Employees in an "off work" status, who receive Worker's Compensation benefits, may receive vacation donations to supplement their income for one calendar year after their City industrial leave supplement has expired and/or their own leave banks have been exhausted. They should apply for Long-Term Disability benefits before exhausting their leave banks to minimize any interruption to pay.

B. Vacation Leave for Serious Illness of a Family Member

Employees who submit a petition for leave donations so that they can care for a seriously ill family member can be approved to receive donations for up to 12 weeks or 480 hours. This regulation uses the Family Medical Leave Act definition of "immediate family member". Medical documentation of both the seriousness of the illness and the necessary presence of the employee is required. Employees may submit a copy of the Certification of Health Care Provider form that accompanies a request for Family Medical Leave as documentation.

The employee receiving vacation contributions must have exhausted his/her vacation and personal leave banks and be on an unpaid leave status.

4. PROCESS

A. Any employee or group of employees on behalf of an individual employee may submit a petition for consideration. Contributions can be accepted, but will not be processed until the petition is approved. The employee must have exhausted accrued leave (as defined in subsections 3A and 3B) prior to receiving leave donations.

B. Each petition must have the approval of the employee's department head and the Personnel Director. Petitions may be denied if 1) the employee's attendance record indicates abuse of leave privileges, 2) the employee has failed to apply for Long-Term Disability benefits (when applicable), 3) or the employee has already received the maximum amount of leave donation authorized in this policy.

C. After the department head and the Personnel Director approve the petition, contributing employees submit leave slips to indicate the amount of leave donated. These leave slips should be forwarded to the Personnel Department Records Section. The leave time will be deducted from the vacation or compensatory leave bank of the contributing employee upon receipt and credited to the sick leave bank of the receiving employee on an hour-for-hour basis, as needed. For employees caring for a seriously ill family member, leave will be credited to the receiving employee's vacation leave bank.

D. Upon an employee's release to work, or termination of City employment, contributions of leave made on his/her behalf will cease. Donations made for an employee who is caring for a seriously ill family member will cease when care (as defined by the FMLA) is no longer needed or the 12 week/480 hours leave has expired, whichever comes first.

E. Excess leave donated for an employee will be returned to the donators on a prorated basis.

5. ADMINISTRATION

The Personnel Director is responsible for the administration of this program and will make the final determination regarding acceptance or denial of leave contribution petitions and any exceptions to the policy limitations.

FRANK FAIRBANKS, City Manager

By: Lisa Takata
Lisa Takata
Assistant to the City Manager