

ORDINANCE No. O-2020-08

AN ORDINANCE AUTHORIZING A CHANGE TO THE CITY OF WARD PERSONNEL HANDBOOK, AUTHORIZING THE ESTABLISHMENT OF A CATASTROPHIC SICK LEAVE PROGRAM FOR CITY EMPLOYEES, ESTABLISHING PROCEDURES FOR SELLING VACATION TIME AND PROCEDURES FOR DONATING VACATION TIME TO ANOTHER EMPLOYEE, AND FOR OTHER PURPOSES.

WHEREAS, City of Ward Ordinance 2019-03 established the City of Ward Personnel Handbook which is applicable to all full-time, part-time and seasonal employees, and,

WHEREAS, from time to time, it becomes necessary to update the manual; and,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WARD, ARKANSAS hereby declares the following be added to the City of Ward Personnel Handbook:

SECTION 1: The Catastrophic Sick Leave Program is hereby established by reference as Attachment 4 of the Personnel Handbook.

SECTION 2: Add the following to page 3 of the Personnel Handbook

5.16: Selling Unused Vacation Time, Page 30

5.17: Donating Unused Vacation Time to Another Employee, Page 30

SECTION 3: Add the following to page 30 of the Personnel Handbook

5.16: SELLING UNUSED VACATION TIME:

- a. Unused vacation time may be sold back to the city at any time at 4-hour increments after the employee has been employed full-time for a minimum of two (2) years.
- b. To request to sell back unused vacation time:
 - 1) Obtain and fill out the request form provided by Human Resources (HR).
 - 2) Form must be approved by the Supervisor, Department Head, and Mayor.
 - 3) All necessary taxes, etc. will be deducted as required by law.
- c. You may sell no more than 80 hours per calendar year.

5.17: DONATING UNUSED VACATION TIME TO ANOTHER EMPLOYEE

- a. Unused vacation time may be donated to another full-time employee.
- b. The person donating may donate any or all of their accrued vacation time in 1 hour increments.

- c. The person receiving the donation does not otherwise have to be eligible for vacation time (i.e. just recently hired); however, the person receiving the donated vacation time must be a full-time employee at the time of the donation.
- d. To request to donate unused vacation time:
 - 1) Obtain and fill out the request form provided by Human Resources (HR).
 - 2) Form must be approved by the Supervisor, Department Head, and Mayor.
- e. Donated vacation time is available immediately upon request.

SECTION 4 SEVERABILITY: If, for any reason, any portion or portions of this ordinance shall be held invalid, such invalidity shall in no way affect the remaining portions.

PASSED AND ADOPTED THIS 20th DAY OF July, 2020

YEAS: 4 NAYS: 0

APPROVED:

Charles Gastineau, Mayor

ATTEST:

Courtney Ruble
Courtney Ruble, City Clerk



City of Ward
Catastrophic Sick Leave Bank Program

City of Ward Employee Handbook – Attachment 4
(Adopted July 20th, 2020 by Ordinance 2020-08)

The **Catastrophic Sick Leave Bank Program** provides paid leave to City employees when the employee or an immediate family member requiring their care face a catastrophic illness and the employee would otherwise go on leave without pay. Employees enroll in the Catastrophic Sick Leave Program voluntarily by donating earned sick leave to a pool of leave for use by other eligible employees.

Regular full-time City employees must meet the following minimum requirements to be eligible for Catastrophic Leave:

- Provide a certification from a physician documenting a medical condition requiring leave for a prolonged period of time for the employee or employee's immediate family member (spouse, parent, or child).
- Participate in the catastrophic leave bank program including enrollment and the minimum contribution of eight hours.
- A minimum of one year of service as a full-time employee.
- Already submitted all FMLA paperwork to cover the employee's extended leave of absence.
- A minimum accrual of 80 hours (vacation and sick combined) at the beginning of the illness.
- Employees must be, or reasonable expected to be, on leave without pay status;
- A letter must be provided from the employee's Department Head regarding any history of leave of abuse.
- Employees must be enrolled for six-months prior to eligibility.

The Human Resources Director holds the responsibility to maintain the balance of the Catastrophic Leave pool and report it to the Catastrophic Leave Committee as requested.

Employees may not receive leave from the Catastrophic Leave bank while on a Workers Compensation injury.

Catastrophic Leave Committee

A committee made up of four (4) participants in the Catastrophic Leave Bank Program will be appointed by the Human Resource Director to review all requests and determine whether to grant Catastrophic Leave. If one of the four (4) participants cannot make the meeting, the Human Resources Director will appoint another member of the program for that particular request. The

City Attorney will also serve as a voting member of the Catastrophic Leave Committee. The Human Resources Director will not vote in any decision. Leave granted may not exceed the latter of

- The date the employee or family member is released to duty (full or modified) by the treating physician; or
- The date of eligibility for disability benefits. Catastrophic leave cannot be awarded retroactively. The maximum award permitted is six (6) months in any two (2) year period beginning from the initial use of catastrophic leave. Applications for Catastrophic Leave will be reviewed on a first-filed, first considered basis. Catastrophic Leave, which would result in a negative balance of the City's Catastrophic Leave Bank, will not be approved.

Donations to the Catastrophic Sick Leave Program

Upon enrollment, employees will contribute eight (8) hours of sick leave to join the program. After enrollment, an annual four (4)-hour contribution will be automatically deducted from accrued sick leave at the end of each December. Additionally, enrolled employees may donate up to 12 additional sick hours at any time during the year so long as their annual contribution is no more than 16 hours total. Employees may NOT donate vacation leave at any point nor may employees donate any time that will be forfeited at the end of the year due to maximum carryover rules. Employees will not be required to make an annual donation for up to six (6) months after their illness or injury. Donations to the Catastrophic Leave Program are not tax deductible. Participation will continue until the participating employee requests termination of participation in writing. Enrollment and Catastrophic Leave Request forms are available from the Human Resources Department.

In the event that for any reason an employee who is a member of the Catastrophic Sick Leave Program is terminated, resigns, leaves, or retires from the City, he/she may not donate remaining sick or any type of leave to the program.

Requesting Catastrophic Leave

A participating employee who has exhausted all available leave time and who presents documentation of the ongoing illness from the treating physician may request leave time from the Catastrophic Leave Program. Employees or their designees must file the following documents: Recipient Application and Physicians Certificate. Forms should be presented to the Human Resources Director in time for review and consideration before an employee goes on leave without pay. Catastrophic Leave Forms are available from the Human Resources Department. Any unused Catastrophic Leave will be returned to the program in the event the employee is terminated, retires, or returns to work prior to the expiration of the previously approved Catastrophic Leave Period.