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**Sick Leave Donation Program Policy**

**Final DATE: November 20, 2008**

**PURPOSE:** The intent of the Sick Leave Donation Program is to provide a bank of sick leave days from which members may apply to use when in critical need of leave due to a catastrophic illness or injury.

**SCOPE:** Eligible employees are those covered by the CSEA Collective Bargaining Agreement and those unrepresented managers covered by the Ulster County Personnel Policy Manual for Managers.

**DEFINITION: Catastrophic Illness or Injury:** A catastrophic illness/injury is one that has totally incapacitated the employee from work, as certified by a licensed physician (excluding Worker’s Comp injuries). Generally, if medical substantiation indicates that the condition causes inability to work for an extended period of time, the condition may be considered catastrophic. Conditions that are short-term in nature (e.g. flu, measles, common illnesses, common injuries, etc.) are not considered catastrophic. Generally speaking, chronic illnesses or injuries must be considered both long-term in nature and require long-term recuperation periods. Each situation is determined on a case-by-case basis.

**PROCEDURE:**

An employee may donate accrued sick leave for use by a fellow employee who is otherwise eligible to accrue and use sick leave, and who is a member of the Sick Leave Donation Program. The intent of the Sick Leave Donation Program is to allow employees to voluntarily provide assistance to co-workers who are in critical need of leave due to a catastrophic illness or injury as defined above. A participating employee is eligible to receive sick leave donation for a maximum of 20 days per request.

1. An employee may receive donated leave up to the number of hours the employee is scheduled to work each pay period, if the employee who is to receive donated leave:
  - a. Has completed at least one (1) year of continuous service with Ulster County;
  - b. Has utilized or will utilize all available leave;
  - c. Is on leave of absence, approved by the appointing authority or authorized designee, and has exhausted or will exhaust all paid leaves (i.e.: sick, vacation and personal time);
  - d. Has applied for any paid leave or benefits program for which the employee is eligible, including Family and Medical Leave;
  - e. Has provided written verification that the catastrophic health condition exists, and

- f. Agrees to accept the leave under the terms of this policy and completes an Application to Receive Donated Leave form.
2. Employees may donate leave if the donating employee:
  - a. Voluntarily elects to donate sick leave and does so with the understanding that donated leave will not be returned;
  - b. Has a minimum of ten (10) days on the books upon joining the leave donation program and member must have one day available at the time of automatic renewal; Exception: If you are currently drawing from the SLB when it is time to renew your membership, the Panel will place a continuance on the employees membership with automatic renewal.
  - c. Donates two (2) sick leave days upon joining the program and automatically one (1) day per year, thereafter. (Note: Emergency donations may be solicited from members by the Sick Leave Donation Panel in the event the bank becomes depleted in any given year.)
  - d. Completes an "Application to Donate Leave".
3. Employees must submit application/request in a timely manner.
  - a. Employees must submit application/request by the Friday payday for the following payroll period.
    - Appointing Authority needs to verify the eligibility of applicant
    - Application to be reviewed by the Sick Leave Donation Panel
    - Processed to meet payroll office deadline of 12:00 PM the Friday before the next scheduled payday.
  - b. If the above timeline is not met the employee will not be eligible for any Sick Leave donation for the upcoming payroll.
  - c. Employees using donated leave shall be considered in active pay status and shall accrue leave and be entitled to any benefits to which they would otherwise be entitled, including health insurance.
    - Leave accrued by an employee while using donated Sick Leave shall be used, if necessary, in the following pay period before additional donated Sick Leave may be received.
  - d. Donated Sick Leave shall be considered Sick Leave but shall never be converted into a cash benefit.
  - e. Any Disability buyback for donated sick leave will be returned to the Sick Leave Donation Program based on the number of days used from the Program.
  - f. Employees not meeting the eligibility requirements as described in Section 1 of these guidelines will be notified of the reason for ineligibility by the Sick Leave Donation Review Panel and their applications will be clearly marked "NO" for eligibility.
4. Employees are eligible to apply for membership in or withdrawal from the Sick Leave Donation Program during the annual health insurance Open Enrollment period.
5. The donation and use of sick leave shall occur on a strictly confidential and voluntary basis. Members will not know who is receiving the donations, although a statistical report of

6. program use will be made available to members of the Ulster County workforce on an annual basis.
7. The Sick Leave Donation Program shall be administered within the confines of this written policy by the Leave Donation Review Panel of the Ulster County-CSEA County-wide Labor/Management Committee (LMC).
  - a) An eight (8) member panel will oversee management of this program. The group will consist of four (4) labor and four (4) management representatives of the Labor/Management Committee (or their designees).
  - b) Personnel Department will review eligibility and approve or deny an application to donate leave based on eligibility.
  - c) There must be a minimum of two (2) labor and two (2) management representatives at any meeting/conference call in order to approve an application to receive leave.
  - d) The Panel will devise administration guidelines with whatever legal counsel is needed, before the effective date of program implementation.
  - e) The Panel will screen all applications for content and thoroughness of information.
  - f) The Panel will also review the on-going status of employees enrolled in the Sick Leave Donation Program to monitor participants who continue to meet established criteria.
  - g) The Panel shall use consensus decision-making to approve all applications to receive or donate leave.
  - h) The Panel shall provide the appropriate approvals/denials for applications to receive or donate leave.
  - i) The Panel will meet as needed.
  - j) Annual Audit and Report – the panel will submit an annual audit and report to the LMC. The LMC will approve the report by vote.
8. The decisions of the Sick Leave Donation Review Panel are not subject to appeal.