



**ADMINISTRATIVE POLICIES**

SECTION: 300	POLICY #: 302
TITLE: Leave Donation Program	PROCEDURE #: 302-A
	ORDER #: 09-119
DEPT: Business Services	DIVISION: Human Resources
ADOPTED: 03/95	REVIEWED: 12/09
	REVISED:

**PURPOSE:** This establishes a policy for allowing county employees to donate earned vacation hours to a co-worker who is absent from work due to a catastrophic health condition and has exhausted all accrued leave and benefits.

**AUTHORITY:** The Marion County Board of Commissioners may establish rules and regulations in reference to managing the interest and business of the county under ORS 203.010, 203.035 and 203.111.

The Marion County Board of Commissioners expresses the governing body’s formal, organizational position of fundamental issues or specific repetitive situations through formally adopted, written policy statements. The policy statements serve as guides to decision making for both elected and appointed officials on the conduct of county business.

The Administrative Policies and Procedures manual of the Board of Commissioners outlines the forms and process through which the board takes official action on administrative policy, and is the official record of county administrative policy.

**APPLICABILITY:** All benefits-eligible county employees who are unable to perform the duties of their position because of a serious illness or injury which is life threatening or which will require a lengthy convalescence.

**GENERAL POLICY:** The Leave Donation Program allows employees to voluntarily transfer accrued vacation hours to the sick leave account of an eligible employee who has exhausted all accrued leave and benefits. Eligible employees must be unable to return to work due to their own serious illness or injury which is life threatening or which will require a lengthy convalescence. Eligibility for leave donations will require a medical certification indicating eligibility under the above definition. Any exceptions to this policy require approval by the Chief Administrative Officer or designate.

## **SUBJECT: LEAVE DONATION PROGRAM**

### **POLICY GUIDELINES:**

Eligibility requirements are as follows:

1. Donating Employee

To qualify as a donating employee, an employee must be a regular status employee working half time or greater and have sufficient vacation leave accrued to cover donated time. Donating employees agree to make no future claim upon the county for compensation associated with the hours donated.

2. Requesting Employee

- a. The requesting employee must be on an approved leave certified under the FMLA policy and the medical certification must meet the applicability definition under this policy. Donated leave cannot be used for intermittent leave purposes.
- b. The period that an employee may receive donated leave is the period of FMLA/OFLA qualified leave that would otherwise be unpaid because leave balances and benefits (i.e., compensation credits) have been reduced to zero.
- c. A lifetime maximum of 600 hours may be donated to the affected employee during the tenure of their employment with the county. There is no assurance made by the County that the affected employee will receive any donations due to the voluntary nature of this policy.

3. Service Accruals and Other Benefits

- a. Donating employees may donate only accrued vacation leave. Donated vacation leave will be converted on a straight hour-for-hour basis to the recipient employee's sick leave balance.
- b. Employees using donated leave may be eligible for county-paid health benefits as required under the Family Medical Leave Act policy.
- c. Employees may not receive donated leave while receiving workers' compensation time loss benefits.
- d. It is prohibited for anyone to pressure, intimidate or otherwise attempt to convince any employee to take action in a donation issue that is not of the employee's own volition.