

Resolution Amending the Chatham County Personnel Policy

WHEREAS, the Chatham County Personnel Policy, adopted March 11, 1996, establishes the general guidelines for employees conduct; and

WHEREAS, from time to time it is necessary to amend the Personnel Policy for clarification or to better meet the needs of the employees and the County; and

WHEREAS, internal and external review of the policy identified needed modifications to the policy, and

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of Chatham County, that Personnel Policy be amended as follows:

Article VI, Section 19:


By adding:

In cases of prolonged medical condition(s), an employee may apply or be nominated to become a recipient of leave transferred from the vacation or compensatory leave accounts of employees working for Chatham County. For purposes of this program, medical condition means the medical condition of an employee or their spouse, parents, children or other dependents, including step and in-law relationships, that is likely to require an employee's absence from duty for a prolonged period, generally considered to be at least twenty (20) consecutive workdays. If an employee has had previous random absences for the same condition that has caused excessive absences, or if the employee has had a previous, but different, prolonged medical condition within the last twelve months, the County may make an exception to the 20-day period.


There are occurrences brought about by serious and prolonged medical conditions that cause employees to exhaust all available leave, and therefore, be placed on leave without pay. Such employees forced to go on leave without pay could be without income during one of the most critical points in their lives. It is recognized that fellow employees may wish to voluntarily donate some of their accumulated vacation leave or compensatory time so as to provide assistance to other Chatham County employees. This program intends to provide an opportunity for employees to assist another affected by a medical condition that requires absence from work for a prolonged period of time resulting in possible loss of income due to lack of accumulated leave.

Full guidelines, eligibility, and application requirements are detailed in the *Chatham County Voluntary Shared Leave Policy*

Adopted this, the 16th day of June, 2008.


George Lucier, Chairman

ATTEST:


Sandra B. Sublett, CMC, Clerk to the Board
Chatham County Board of Commissioners

Chatham County Voluntary Shared Leave Policy

A. PURPOSE

There are occurrences brought about by serious and prolonged medical conditions that cause employees to exhaust all available leave, and therefore, be placed on leave without pay. Such employees forced to go on leave without pay could be without income during one of the most critical points in their lives. It is recognized that fellow employees may wish to voluntarily donate some of their accumulated vacation leave or compensatory time so as to provide assistance to other Chatham County employees. This program intends to provide an opportunity for employees to assist another affected by a medical condition that requires absence from work for a prolonged period of time resulting in possible loss of income due to lack of accumulated leave.

B. POLICY

In cases of prolonged medical condition(s), an employee may apply or be nominated to become a recipient of leave transferred from the vacation or compensatory leave accounts of employees working for Chatham County. For purposes of this program, medical condition means the medical condition of an employee or their spouse, parents, children or other dependents, including step and in-law relationships, that is likely to require an employee's absence from duty for a prolonged period, generally considered to be at least twenty (20) consecutive workdays. If an employee has had previous random absences for the same condition that has caused excessive absences, or if the employee has had a previous, but different, prolonged medical condition within the last twelve months, the County may make an exception to the 20-day period.

C. GENERAL GUIDELINES

1. Leave may be donated on a case-by-case basis. Excess donated leave will be accumulated in a bank, as described in Section F.
2. This Policy may apply to employees on worker's compensation leave provided the conditions for family medical leave are met.
3. Individual leave records are confidential and only individual employees may reveal their donation or receipt of leave. The employee donating leave must sign a release form and cannot receive remuneration for leave donated. All donations must be done on a voluntary basis. Solicitation on the part of Department Heads or supervisors is prohibited. No employee shall directly or indirectly intimidate, threaten or coerce any other employee for the purpose of interfering with any right an employee may have in donating, receiving or using annual leave under this program. Such action by any employee will result in disciplinary action up to and including dismissal on the basis of personal conduct.
4. Family Medical Leave (FML) Guidelines: All employees who have worked at least one year and at least 1250 hours during the last twelve (12) months are eligible for family and medical leave.

A. The leave may be used for the following reasons and durations:

1. Because of the illness of an employee's child, spouse, or parent, where that child, spouse, or parent has a serious health condition or chronic serious health condition as defined by the Federal Family and Medical Leave Regulations, regular, probationary, and temporary employees, as defined above may be granted up to twelve (12) weeks of leave without pay within a twelve-month period. Regular employees may be granted an additional three months of leave without pay within a twelve-month period with approval from the department head and the County Manager;
2. Because the employee has a serious health condition or chronic serious health condition that makes the employee unable to perform the functions of the employee's position, regular, probationary, and temporary employees, as defined above, may be granted up to twelve (12) weeks of leave without pay within a twelve-month period. Regular employees may be granted an additional three months of leave without pay within a twelve-month period with approval from the department head and the County Manager; and
3. For the birth and adoption of a child; for the initial placement of a foster care child; for child care after the child arrives, provided the leave is taken within a twelve (12)-month period following the child's arrival; and for medical conditions caused by or contributed to by pregnancy, miscarriage, abortion, childbirth, or recovery therefrom, regular, probationary, and temporary employees, as defined above, may be granted up to twelve (12) weeks of leave without pay within a twelve-month period. Regular employees may be granted an additional three months of leave, with approval of the department head and the County Manager.

5. The Privacy Act makes medical information confidential; therefore, prior to making the employee's status public for the purpose of receiving shared leave, the employee must sign a release to allow the status to be known.
6. A committee composed of members of the Personnel Committee will make the final decision concerning eligibility to participate in the program. Participation in this program shall be based on the applicant's and donor's past compliance with leave rules.

D. ELIGIBILITY & APPLICATION

1. Applicant must qualify for family medical leave under the above listed guidelines, and must be a regular, full or part-time employee who has completed his/her applicable probationary period.
2. At the time of the request, applicant must have exhausted all leave (sick, annual and compensatory leave); all leave balances must be zero.
3. Application should include name, department name, position title, a copy of FML certification documents, and estimated length of time needed to participate in the program.
4. Applicant shall apply to the Human Resources Director and their department head. An employee may file a grievance or an employee appeal if his/her request to receive or to donate leave is denied.

E. RECIPIENT GUIDELINES

1. Participation in this program is limited to 240 hours (prorated if part-time), either continuously or, if for the same condition, on a recurring basis. The County Manager may, however, grant employee continuation in the program, month by month, for a maximum of 480 hours, if the employee would otherwise have been granted leave without pay.
2. Subject to the maximum of 240 hours, the number of hours leave an employee can receive is limited to the projected recovery or treatment period. Donated leave will be credited to the recipient's sick leave account on an as needed basis.
3. If a recipient separates from service from Chatham County for any reason, his/her participation in the program will end.
4. All used shared leave will be taxable to the recipient, subject to retirement, and reported as earnings on annual W-2 statement

F. DONOR GUIDELINES

1. The minimum amount to be donated is four (4) hours.
2. The maximum amount of vacation leave allowed to be donated in one calendar year by one individual can be no more than the amount he/she could earn in one year; however, the amount donated may not reduce the donor's vacation leave balance below one-half of the amount he/she could earn in one year.

For example: Wendy Lemonjello earns 15 days of vacation per year, which is 120 hours. She may donate up to 120 hours, provided that her total vacation balance does not go below 60 hours (1/2 of the amount she earns in a year).

3. All donations must be in writing and must be signed by the donating employee. The employee receiving the leave must be named and the amount and type of leave donated must be specified.
4. Once a donation is made it cannot be retracted by the donor.
5. Donations made to an employee that are not used by said employee will be deposited in a shared leave bank. This bank will be maintained in the Human Resources Office and shall not exceed 720 hours.