

# SHARED LEAVE PROGRAM POLICY



**Policy Title:** Shared Leave Program

**Policy Number:** 4.11

**Authorization:** Grand Forks County Commission

**Approval Date:** August 1, 2017

**Replaces Policy Number:** 104-02; 104-06

**Revision Date:** August 1, 2017

## POLICY STATEMENT

Grand Forks County provides a Leave Sharing Program to allow employees to voluntarily donate Vacation and/or Sick Leave to a Shared Leave bank to assist other employees who are experiencing their own medical emergency or assisting a family member who is experiencing a medical emergency, in which the employee is unable to work and causes a substantial loss of income.

## RATIONALE

To establish guidelines for the administration of a Shared Leave Donation bank.

## APPLIES TO

All eligible employees, who regularly work an average of at least 20 or more hours per week and earn paid time off, such as vacation leave and sick leave and who have been continuously employed by the County for six (6) months. Elected officials, temporary/seasonal employees, and employees who regularly work *less* than an average of 20 hour per week are not eligible to participate with Shared Leave Program.

## DEFINITIONS

**Eligible Employee:** Employees who regularly work an average of at least 20 or more hours per week and earn paid time off, such as vacation leave, sick leave, personal leave, etc.

**Temporary/Seasonal:** Employees who are expected to remain in a position only for a certain amount of time.

**Medical Emergency:** Serious, extreme or life-threatening.

**Family Member:** Spouse, parent, son or daughter.

**Leave Donor:** An employee who voluntarily submits a written Agreement to Donate VACATION OR SICK Leave form to transfer vacation to another employee.

**Leave Recipient:** An employee who meets the requirements to receive Shared Leave.

**Inactive Pay Status:** Employees who are not receiving regular pay for hours worked.

**Family and Medical Leave Act (FMLA):** A labor law requiring larger employers to provide employees unpaid leave for serious health conditions, to care for a sick family member, or to care for a newborn or adopted child.

**Disability Wage Replacement Payments:** Payments received outside your normal pay that is provided by your employer.

**Substantial Loss of Income:** Receiving no other means of income through Grand Forks County benefit programs or elected benefit programs, such as Workers' Compensation Insurance and disability or wage-replacement payments.

**Leave Committee:** A committee comprised of three (3) representatives and a member of Human Resources to review and make determination of each request for Shared Leave.

**Employee Assistance Program (EAP):** A problem assessment and resource referral service for employees and immediate family members.

## GUIDELINES

### SHARED LEAVE ELIGIBILITY

Eligible employees who have worked continuously for Grand Forks County for at least six (6) months and who have exhausted all applicable paid leave may apply for Shared Leave for their own medical emergency or a family member's medical emergency. The medical emergency must be serious, extreme or life threatening, which makes the employee unable to perform their regular work duties and experiencing a substantial loss of income.

An employee must be in an unpaid status for five (5) working days prior to receiving Shared Leave.

Donated leave is paid at recipient's normal compensation rate and recipient's cannot receive cash pay-out in lieu of paid time off. Donated leave is considered gross income and wages for purposes of FICA, FUTA and income tax withholding.

An employee receiving workers' compensation for the same injury/illness or receiving any disability or wage-replacement payments is not eligible for Shared Leave.

### REQUESTING SHARED LEAVE

Eligible employees may request and receive up to 160 hours of Shared Leave. Employees are limited to receiving Shared Leave once in a 12-month rolling calendar.

To request Shared Leave must complete the *Shared Leave Request Form* and return it to Human Resources for processing.

### REVIEW AND DETERMINATION

Human Resources will pre-screen Shared Leave requests for completion and forward it to the Shared Leave Committee. If the request meets eligibility requirements, the Committee will then approve, disapprove, or return the request to the employee for additional information or clarification.

The determination about the nature of the medical condition and the decision to approve or deny the request of Shared Leave is final and not subject to appeal. However, additional medical information will be considered if provided.

If Shared Leave is denied, an employee will remain in an inactive pay status.

### DONATING SHARED LEAVE

Grand Forks County employees may voluntarily donate Vacation and/or Sick Leave to the Leave Sharing Program by completing the *Shared Leave Donation Form*. Donation of leave are in full-hour increments. Employees may donate twice a year, in the months of June and December.

Employees who wish to donate Vacation Leave can donate a maximum of 40 hours per calendar year and must have a balance of at least 80 hours of their VACATION Leave after donation is made.

Employees who wish to donate Sick Leave can donate a maximum of 20 hours per calendar year and **must have a balance of least 480 hours of their Sick Leave** after the donation is made.

Employees who are separating from Grand Forks County, may donate 20 hours of Sick Leave to the Shared Leave Program; leave balance requirements are not applicable.

All donated hours are placed in a Shared Leave bank and donations are not designated for a specific employee.

Leave donor may not claim an expense, charitable contribution, or loss of deduction under IRS guidelines.

No employee shall be coerced, threatened or intimidated into donating hours.

## CONFIDENTIALITY

The highest level of confidentiality will be maintained with all requests and donations. Requests that are presented to the Shared Leave Committee, will have the requestor's name withheld and limited medical information will be disclosed in order to make a sound decision.

## ROLES

Shared Leave Committee members are responsible to review each request and make a fair, non-bias determination based on the criteria outlined in the Shared Leave policy.

Human Resources will review the request forms for completion and present the request to the Shared Leave Committee.

Payroll will accurately account donate hours and administrate Shared Leave, upon approval.

*This policy is intended as a guideline to assist in the consistent application of Grand Forks County policies and procedures for employees. The policy does not create a contract implied or expressed, with any Grand Forks County employees. Grand Forks County reserves the right to modify this policy in whole or in part, at any time, in its sole discretion. This policy will be reviewed no less than every three years, unless required by Federal, State, or Local law.*

## RESOURCES

Contact Human Resources if you have any questions or if you would like additional information about this policy.

## FORMS

*Shared Leave Request Form*  
*Shared Leave Donation Form*

## RELATED POLICIES AND PROCEDURES

Family and Medical Leave Act Policy  
Vacation Leave Policy  
Sick Leave Policy  
Employee Assistance Program