

APPENDIX "D"

JANUARY 29, 2019 BOARD OF SUPERVISORS AGENDA

EFFECTIVE JANUARY 28, 2019618 Annual Leave Donations618.2 Annual Leave Donations (Representation Unit 38)

~~Upon written request of an employee, and receipt of the required forms, the Director of Human Resources may authorize the unconditional and irrevocable donation of up to 40 hours per payroll year of that employee's accumulated hours of Annual Leave, Vacation/Sick Leave (as defined in Section 700) to another employee. Eligible employees may receive a maximum of 120 hours of donated hours per payroll year for any serious health condition (as defined below) or up to 240 hours of donated hours per payroll year for any catastrophic illness or injury for an employee's child (as defined below). In order to qualify for Annual Leave, Vacation or Sick Leave Donations, a recipient (donee) of donated hours must have worked for the County for one (1) year and at least 1,250 hours in the last 12 months and meet one of the qualifying situations listed below:~~

618.2.1 Serious Health Condition

- ~~a. The donee must have a serious health condition as defined by the Family Medical Leave Act (FMLA); or~~
- ~~b. The donee requires time off work to care for their spouse, parent, child or registered domestic partner, with a serious health condition as defined by FMLA.~~

618.2.2 Catastrophic Illness or Injury (Child)

~~The donee's child must have a catastrophic illness or injury that poses an immediate and direct threat to life, or to the vital function of major bodily systems or organs, and would cause the employee to take leave without pay or terminate employment. This provision may not be used for sporadic, short-term recurrences of chronic, non-life threatening conditions, or short-term conditions due to contagious diseases, or short-term recurring medical or therapeutic treatments, except for conditions such as those listed above. An illness or injury may be considered a serious health condition as defined by FMLA but may not be considered catastrophic or pose an immediate and direct threat to life.~~

~~In each of the above situations, the donee must have exhausted or is about to exhaust all of their Annual Leave or prior sick leave. In addition, a County of Fresno Annual Leave Donation Program Medical Certification Form shall be required by the Director of Human Resources prior to approving and processing an Annual Leave, Vacation or Sick Leave Donation request. The donation of a donor's accumulated hours will only be approved if after the donation a minimum balance of 120 accumulated hours is maintained by the donor. In addition, the donation of a donor's accumulated hours may be considered towards meeting the 120 hour minimum usage requirement (as defined in Section 610.35).~~

~~Requests for Annual Leave, Vacation or Sick Leave Donations shall be processed in accordance with procedures specified by the Director of Human Resources and, when granted, the Annual Leave, Vacation or Sick Leave hours transferred shall be deducted from the donor's account and shall thereafter be treated the same as though it had been earned by the donee.~~

618.3 ~~Annual Leave Donations (Unrepresented and Management Employees and Employees in Representation Units 2, 3, 4, 7, 10, 11, 12, 13, 19, 22, 25, 30, 31, 36, 39, 40, 42 and 43)~~

~~Upon written request of an employee, and receipt of the required forms, the Director of Human Resources may authorize the unconditional and irrevocable donation of up to 40 hours per payroll year of that employee's accumulated hours of Annual Leave, Vacation/Sick Leave (as defined in Section 700) to another employee. Eligible employees may receive a maximum of 120 hours of donated hours per payroll year for any serious health condition (as defined below) or up to 240 hours of donated hours per payroll year for any catastrophic illness or injury for the employee, their spouse, the employee's dependent child or dependent grandchild (as defined below).~~

618.3.1 ~~Serious Health Condition~~

- ~~a. The donee must have a serious health condition as defined by the Family Medical Leave Act (FMLA); or~~
- ~~b. The donee requires time off work to care for their spouse, parent, dependent child, dependent grandchild (legal guardianship required) or registered domestic partner, with a serious health condition as defined by FMLA.~~

618.3.2 ~~Catastrophic Illness or Injury (Employee, Spouse, Dependent Child or Dependent Grandchild)~~

~~The employee, their spouse, or the employee's dependent child or dependent grandchild (legal guardianship required) must have a catastrophic illness or injury as defined below. A catastrophic illness or injury differs from a serious health condition as defined below.~~

- ~~a. Employee: A catastrophic illness/injury that is covered by this section is defined as an unexpected and/or unplanned illness or injury, that is not chronic in nature, that would likely result in an imminent threat to loss of life and/or limb and that requires immediate medical intervention (treatment, surgery and/or rehabilitation) and that temporarily prevents the employee from working while he/she receives said medical care/treatment. Examples of catastrophic illness/injury that meet the eligibility requirements for the catastrophic benefit in Fresno County are: invasive cancer, debilitating stroke or heart attack, major organ transplant, severe accident/injury. This section requires certification, signed by a California Licensed Physician, through the completion of the "County of Fresno Catastrophic Illness or Injury Certification Form" and approval of the Director of Human Resources.~~

- ~~b. Spouse, Dependent Child or Dependent Grandchild: The donee's spouse, dependent child or dependent grandchild must have a catastrophic illness or injury that is verifiable, incapacitating, and life threatening and is so serious in nature as to require extensive, long-term medical treatment, prolonged hospitalization, or an extended recovery period and requires the employee to be present to care for the family member. This provision may not be used for sporadic, short-term recurrences of chronic, non-life threatening conditions, or short-term conditions due to contagious diseases, short-term reoccurring medical or therapeutic treatments. Examples of catastrophic illness/injury that meet the eligibility requirements for the catastrophic benefit in Fresno County are: invasive cancer, debilitating stroke or heart attack, major organ transplant, severe accident/injury. This section requires certification, signed by a California Licensed Physician, through the completion of the "County of Fresno Catastrophic Illness or Injury Certification Form" and approval of the Director of Human Resources.~~

~~In each of the above situations, the donee must have exhausted or is about to exhaust all of their Annual Leave or prior sick leave. In addition, a County of Fresno Annual Leave Donation Program Medical Certification Form shall be required by the Director of Human Resources prior to approving and processing an Annual Leave, Vacation or Sick Leave Donation request. The donation of a donor's accumulated hours will only be approved if after the donation a minimum balance of 120 accumulated hours is maintained by the donor. In addition, the donation of a donor's accumulated hours may be considered towards meeting the 120-hour minimum usage requirement (as defined in Section 615.5.2).~~

~~Requests for Annual Leave, Vacation or Sick Leave Donations shall be processed in accordance with procedures specified by the Director of Human Resources and, when granted, the Annual Leave, Vacation or Sick Leave hours transferred shall be deducted from the donor's account and shall thereafter be treated the same as though it had been earned by the donee. The Director of Human Resources shall allocate the donated hours to the donee's account on a pay period basis to cover the period of disability.~~

618.4 Annual Leave Donations (Representation Units 1, 14, 35, and 37)

Upon written request of an employee, and receipt of required forms, the Director of Human Resources may authorize the unconditional and irrevocable donation of up to 40 hours per payroll year of that employee's accumulated hours of Annual Leave, Vacation/Sick Leave (as defined in Section 700) to another employee. The 40-hour per payroll year maximum donation amount may be waived for catastrophic illnesses or injuries that have been approved for donation by the Director of Human Resources. Eligible employees may receive a maximum of 120 hours of donated hours per payroll year for any serious health condition (as defined below) or up to 800 hours of donated hours per catastrophic illness or injury for the employee, their spouse, the employee's dependent child or dependent grandchild (as defined below).