



RESOLUTION 2024-007

AUTHORIZING LEAVE DONATION POLICY FOR THE CITY OF SHERWOOD

WHEREAS, Resolution 2018-077 established a one-year trial Leave Donation Program; and

WHEREAS, the City desires to reinstate the program to benefit employees in the event they or their family members experience a medical emergency and/or serious health issue; and

WHEREAS, the program will allow employees with qualifying circumstances, who may have exhausted all paid leave options to request leave donations; and

WHEREAS, employees, on a voluntary basis, may donate leave from their accrued PTO.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. The City Council hereby authorizes the City Manager Pro Tem to sign and implement the City of Sherwood Leave Donation Policy attached hereto as Exhibit A.


Section 2. This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 20th of February, 2024.



Kim Young, Council President

Attest:



Sylvia Murphy, MMC, City Recorder



LEAVE DONATION POLICY

The City of Sherwood recognizes that employees or an employee's eligible family member (Parent, Spouse or child) may experience a Medical Emergency resulting in the need for additional time off in excess of their available accrued paid leave.

A "Medical Emergency" is defined as a medical condition that requires the prolonged absence of the employee from duty and will result in a substantial loss of income to the employee because the employee will have exhausted all paid leave available.

To address this need, eligible employees may donate accrued PTO hours from their unused balance to their co-workers in need of additional paid time off, in accordance with the policy outlined below. This policy is strictly voluntary.

Donated leave shall not be used to extend employment beyond the point that would otherwise end by operation of any law, rule, policy or regulation.

Guidelines

Eligibility

Employees may request to receive donated leave from their co-workers if the employee, or an immediate family member, experiences a medical condition that requires the prolonged/extended absence of the employee from duty and will result in a substantial loss of income to the employee due to the exhaustion of all paid leave available. An immediate family member is defined as a spouse, child, or parent. Employees who have experienced the death of a spouse, child or parent, may also request donated leave.

To qualify for donated leave, the employee must:

- (1) Have worked for City of Sherwood for not less than six months prior to the Medical Emergency, or have been employed by the City of Sherwood for no less than 30 days prior to the death of a spouse, child, or parent, in a benefit-eligible position;
- (2) Meet the eligibility requirements of the Family Medical Leave Act (FMLA) and/or the Oregon Family Leave Act (OFLA) for a medical emergency;
- (3) Have no more than 40 hours of unused PTO, Sick, Admin or Comp time accumulated;

- (4) Have exhausted Paid Leave Oregon (PLO) benefits;
- (5) Reasonably demonstrate that all accrued leave will be exhausted;
- (6) Not be receiving, or eligible to receive, long-term/short-term disability benefits or any other supplemental income*

** If eligible, an employee must apply for the City of Sherwood's short-term and/or long-term disability benefits.*

Employees may receive no more than 240 hours of donated leave within a 12 -month period. Donated leave will not be granted or used to extend employment beyond the point that it would otherwise end by operation of law, rule, policy, or regulation.

Leave Requests

Employees requesting donated leave must complete a Donated Leave Request Form and submit it to Human Resources.

Employees seeking donated leave may be required to provide the City of Sherwood with medical certification that reasonably substantiates the request.

A request for donated leave is not approved until it is reviewed and a recommendation has been provided to the City Manager by Human Resources, and the employee's Department Director. The City Manager or their designee shall, in their discretion, provide final approval.

Leave Donations

Employees may voluntarily donate hours of PTO for contribution to a Donated Leave Bank administered by the HR Department. No other type of leave may be donated:

- The donor may not donate more than 40 hours of leave per in a 12-month period, unless permission for larger donated amounts is granted by the City Manager or their designee;
- Donations must be in increments of whole hours;
- The donation of leave is on an hourly basis, without regard to the dollar value of the donated or used leave;
- Employees cannot borrow against future leave to donate;
- Donors must complete and sign a Leave Donation Form containing a declaration that the donation is intended as a gift and has been given freely and voluntarily without coercion, compensation or for other consideration;
- The donation must be made irrevocably, with the understanding that the donated leave is lost to the donor forever for all purposes including, but not limited to, use for paid time off, payoff upon termination, and retirement credit.