

RESOLUTION NO. 98-045

**A RESOLUTION ADOPTING A POLICY
ESTABLISHING HARDSHIP LEAVE
FOR CITY OF THE DALLES EMPLOYEES**

WHEREAS, the City is desirous to provide opportunities for City employees to donate leave to other employees experiencing major medical hardships; and

WHEREAS, the City has prepared guidelines and procedures for allowing such donations to take place; and

WHEREAS, the City Council has reviewed the proposed policy and believes adoption of such policy is in the best interest of the citizens of The Dalles:

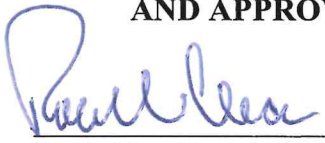
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL AS
FOLLOWS:**

Section 1. Policy adopted. The policy establishing Hardship Leave for City employees as set forth in Exhibit A is hereby approved and adopted.

PASSED AND ADOPTED THIS 12TH DAY OF OCTOBER, 1998


Voting Yes, Councilors:	<u>Gosiak, Broehl, Davis, Davison, Wasser</u>
Voting No, Councilors:	<u>None</u>
Absent, Councilors:	<u>None</u>
Abstaining, Councilors:	<u>None</u>

AND APPROVED BY THE MAYOR THIS 12TH DAY OF OCTOBER, 1998



Robb Van Cleave, Mayor

ATTEST:



Julie Krueger, CMC, City Clerk



HARDSHIP LEAVE POLICY

The City of The Dalles, in coordination with the Family Medical Leave Act, shall allow a permanent City employee, who has an eligible family member or who themselves is suffering from a serious health condition, as defined by the FMLA, and has exhausted all other paid leave, to receive additional sick leave through a voluntary transfer of vacation leave from a donating City employee under the following circumstances:

A. Donating Employees

1. A permanent City of The Dalles employee, working half time or greater, may donate accrued vacation leave, in full eight (8) hour blocks.
2. Donating employees must maintain a minimum vacation accrual balance of ten (10) working days (80 hours) after the number of donated days has been subtracted from their vacation balance.
3. Donating employees shall complete and sign a form approved by the City authorizing the donated hours to be credited to the recipient employee.

B. Recipient Employees

1. Employees, eligible for leave under the Family Medical Leave Act, may receive donated vacation days from donating employees. Donated vacation days shall be credited to the recipient employee's sick leave accrual balance on a day for day basis.
2. To receive donated leave, an employee must apply for, and receive, approval for leave under the Family Medical Leave Act. An employee may only request leave for a serious health condition of themselves, spouse, parent, parent-in-law, child, or stepchild.
3. The period in which an employee may receive donated leave is the period of Family Medical Leave qualified leave which would otherwise be unpaid because all leave balances have been reduced to zero. Employees may not be receiving non-duty disability or Worker's Compensation benefits while receiving donated leave.
4. The maximum number of donated days which a recipient employee will be eligible to receive for one illness or injury shall be sixty five (65) working days.

C. Procedure and Limitations

1. Family Leave Act eligibility must be established prior to implementing procedures for hardship leave. To apply for FMLA, an employee needs to obtain a request form from the Human Resources office.
2. Employees must arrange for the donation of days on the appropriate forms, available at the Human Resources office, seven (7) days in advance of the need of the recipient employee. Donating employees will have 14 days to make their donations after the posting of the request for donations. The City Manager may extend the time limits at his/her discretion.
3. All donated days are subject to all sick leave rules and policies. In the event donated days are not used by the recipient employee, they will remain as accrued sick leave available to the recipient employee, subject to all sick leave rules and policies. In the event the recipient employee dies or leaves City employment, the sick leave balance is forfeited.
4. Donation and receipt of donated days may be between employees without regard to bargaining unit membership. Any employee union or association representing City of The Dalles employees must agree to participate in this program for leave to be donated to other City of The Dalles employees. If a union or association opts out of participation for the employees they represent, all other eligible City of The Dalles employees may still participate in this program.
5. The Employer shall not assume any tax liabilities that would otherwise accrue to the employee.
6. The City shall keep the source of all donated leave confidential.