



CITY OF HOUSTON

Administrative Procedure

Subject: **Accrued Leave Donation Program**

A.P. No:

3-18

Effective Date:

June 24, 2014

1. AUTHORITY

- 1.1 Article VI, Section 7a, of the City Charter of the City of Houston. Mayor-approved Accrued Leave Donation Program, Revision 3, April 19, 2012.

2. PURPOSE

- 2.1 Provide a program through which City of Houston employees may financially assist other City of Houston employees through the donation of their vacation hours.

3. POLICY

- 3.1 It is the policy of the City of Houston to allow employees to confidentially volunteer to donate a portion of their accrued vacation balance to other employees who have a qualifying medical condition or are off duty in order to care for a family member due to the family member's bona fide illness, disease, or injury, and have exhausted (or will exhaust) all their personal accrued hours to which they are entitled. Donated vacation hours will be credited to recipients as sick hours.

A qualifying medical condition is one that has been medically diagnosed and documented, for which an employee is being treated and may be approved for coverage under the Family and Medical Leave Act, and that has a probability of requiring an employee to be off work for at least 30 consecutive calendar days.

4. RECIPIENT OF HOURS

- 4.1 Full-time City of Houston employees are eligible to participate in the Accrued Leave Donation Program.
- 4.2 Employees who have completed their initial probation period may participate in the Program. The initial probationary period is the first twelve (12) consecutive months of employment for employees newly employed in a classified or Civil Service position.

A former City employee, who is re-employed in a Civil Service position, must satisfy a probationary period of twelve (12) consecutive months to be eligible to participate in the Program.

- 4.3 Donated hours may be given for a qualifying medical condition, or for an employee who is off duty in order to care for a family member due to the family member's bona fide illness, disease, or injury, documented by the treating physician's statement.

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- 4.4 Donated hours may be given in the event a recipient anticipates a qualifying medically documented absence for thirty (30) or more consecutive calendar days.
- 4.5 Donated vacation hours will be coded as DSCK in the recipient's record.
- 4.6 Donated vacation hours will be used after all personal accrued hours are exhausted, including sick, vacation, personal hours, compensatory time, floater or any other pay to which an employee is entitled.
- 4.7 If the employee dies while a participant in the Accrued Leave Donation Program, accrued leave donated balance hours will be paid to the death termination pay beneficiary on file in the Human Resources Department, Benefits Operations Section, at the employee's final rate of pay. If this recipient has not been identified, the balance shall be awarded to the employee's basic life insurance beneficiary.
- 4.8 If a recipient returns to work before using all donations, hours remaining in the recipient's sick bank will be available for future qualifying medical conditions that render the employee eligible for donations under the Accrued Leave Donation Program.
- 4.9 If an employee terminates employment before using all donated vacation hours, provisions of the Compensable Sick Leave Plan or the Modified Sick Leave Plan will govern the balance.

5. DONOR

- 5.1 Employees that elect to donate their vacation hours must have completed their initial probation period.
- 5.2 Donated hours shall not exceed half of the donor's current vacation balance.
- 5.3 Donated hours shall be in four (4) hour increments.
- 5.4 The decision to donate vacation hours is voluntary and irrevocable.

6. ACCRUALS

- 6.1 While a recipient of donated time is absent and using donated hours, sick and vacation hours will not continue to accrue.

7. HOLIDAYS

- 7.1 While absent and using donated time, an employee is entitled to receive pay for a City holiday if he/she is paid for the day before and after the holiday.

8. MAXIMUM DONATION

- 8.1 A maximum 180 calendar days (six months), 1,040 hours, for each approved incident or occurrence can be credited to the recipient's donated sick leave balance (based on the recipient's hourly rate of pay). Donated hours will be credited based on the expected period of absence, based on the treating physician's statement (s), and may be applied in increments of four (4) hours.

9. PROCEDURE

- 9.1 Employee may request a donation of vacation hours through their respective Human Resources Client Relations representative who will initiate the process. The Human Resources Client Relations representative determines that all leave balances are exhausted or will be exhausted prior to, coincident with or soon after the period that the employee is expected to be absent from work.
- 9.2 Donations will be solicited only if the treating physician's statement or the employee's approval for Family Medical Leave (FML) states that the employee is unable to come to work for at least 30 consecutive calendar days for medical reasons specifically related to the employee's own condition or the bona fide illness, disease, or injury of the employee's spouse, son or daughter, or parent.
- 9.3 If medical documentation supports the employee's eligibility to participate in the Accrued Leave Donation Program, the Human Resources Client Relations representative will initiate a solicitation for donated vacation hours and communicate solicitation to departmental employees, giving them opportunity to donate vacation hours to a fellow employee. Attach the memo to the Accrued Leave Donation Packet.
- 9.4 After discussing departmental solicitation with the employee, the Human Resources Client Relations representative shall initiate solicitations of accrued leave donation hours inter-departmentally. The Client Relations Representative of the originating department shall coordinate the process with the Client Relations Representative of the new participating department. To minimize an employee receiving hours in excess of those necessary for him/her to receive pay for the medically documented absence, inter-departmental solicitations shall be limited to three departments for concurrent solicitations.
- 9.5 The Human Resources Client Relations representative shall accept donations up to half of the donor's current vacation balance. Attach a printout of the Quota Overview Screen to each donation form.
- 9.6 The Human Resources Client Relations representative shall verify that donations are only vacation hours.
- 9.7 The Human Resources Client Relations representative shall determine the donor's hourly vacation rate of pay by adding the biweekly base pay plus longevity and dividing 80 hours into the total amount. Exclude all other forms of pay.
- 9.8 The Human Resources Client Relations representative shall determine the recipient's hourly rate of pay by adding the biweekly base pay plus longevity and dividing 80 hours into the total amount. Exclude all other forms of pay.
- 9.9 The Human Resources Client Relations representative shall determine the value of donated hours by multiplying the hourly rate obtained in 9.7 by the number of donated vacation hours.
- 9.10 The Human Resources Client Relations representative shall determine the number of hours to credit to the recipient by dividing the hourly rate obtained in 9.8 into the value obtained in 9.9.
- 9.11 The Human Resources Client Relations representative shall record the number of hours calculated in 9.10 on the donation form.

9.12 Processed donated hours shall not exceed 40 hours in excess of hours required to support the documented absence.

9.13 Human Resources Client Relations representative shall sign each Donation Form in the "Verified by" section.

Send all donation forms to the Human Resources Client Relations representative (for the recipient) with a cover memo from the originating department. The cover memo shall consist of the department director's or director designee's request for employees to participate in the Accrued Leave Donation Program. All attachments must be originals; include the recipient's most recent Quota Overview Screen, showing leave balances that will be exhausted before, coincident with, or soon after donated hours will be effective.

Using a spreadsheet, summarize all donations: list donors' names, employee numbers, number of donated vacation hours, dollar value of the donated hours and the total number of converted hours donated to the recipient.

9.14 The final packet shall include the cover memo, summary spreadsheet, donation forms, and the Quota Overview Screen for both the donor(s) and the recipient. Submit the packet to Human Resources Benefits Operations.

9.15 Human Resources Benefits Operations shall validate the Accrued Leave Donation packet is compliant with Program provisions and submit the packet to the Payroll Division of the Administration and Regulatory Affairs Department.

9.16 Payroll shall transfer donated hours from the donor's vacation accrual balance and credit the recipient's sick leave accrual balance with the value of the donated hours. Convert the value of donated hours to donated sick leave hours (DSCK) for the recipient.

9.17 The biweekly payroll schedule applies to the Accrued Leave Donation Program.

10. DONATION COMPUTATION

The Human Resources Client Relations representative shall:

10.1 Calculate the donor's hourly vacation rate of pay according to 9.7.

10.2 Calculate the recipient's hourly rate of pay according to 9.8.

10.3 Calculate the value of the donated hours according to 9.9.

10.4 Calculate the number of hours to be credited to the recipient according to 9.10.

Example of a donation of four (4) hours

Donating employee

\$1,200 biweekly pay + \$12 longevity pay = \$1,212.00 ÷ 80 hours = \$15.15/hourly

Receiving employee

\$ 900 biweekly pay + \$6 longevity pay = \$906.00 ÷ 80 hours = \$11.33/hourly

\$15.15 x 4 hours = \$ 60.60 of value

\$60.60 ÷ \$11.33 = 5.35 hours credited to the recipient

11. DIRECTORS

- 11.1 The department director or director's designee shall make requests for employees to participate in the Accrued Leave Donation Program in writing to the Human Resources Director.
- 11.2 The Human Resources Director or the Director's designee will approve or deny requests for employees to participate in the Accrued Leave Donation Program, compliant with provisions of the Program.
- 11.3 The Human Resources Director shall retain authority to periodically review the Accrued Leave Donation Program and to submit revisions to the Mayor for signature.