

CITY OF REDDING
Personnel Policies and Procedures Manual

Section: Miscellaneous Policies

Subject: Employee Disaster Leave Program

Personnel Director: 

Date: October 10, 2018

City Manager: 

Date: October 10, 2018

City Council Resolution No. 2018-100

Effective Date: 9-18-2018

PURPOSE

To implement an employee major disaster leave-sharing plan (the Plan) that permits City employees to deposit leave in a City sponsored leave bank for use by other employees who have been adversely affected by a major disaster, as defined below. This policy was developed as a result of the Carr Fire in July 2018 in Redding and with approval by City Council.

DEFINITIONS

The following terms have the meanings ascribed to them below, unless the context clearly requires some other meaning.

Employee: A person currently holding a position with the City of Redding in a regular, regular part time or full time temporary status. To remain in compliance with CalPERS legislation, retired annuitants would not be eligible to participate in the disaster leave program.

Major Disaster: A major disaster as declared by the President pursuant to section 5170 of title 42 of the Robert T. Stafford Disaster Relief and emergency Assistance Act that warrants individual assistance or individual and public assistance from the federal government under that Act.

Proclamation of a Local Emergency: A Proclamation ratified by the City Council for a local emergency.

Adversely Impacted: An Employee whose primary residence has been affected by a major disaster and has caused severe hardship requiring the employee to be absent from work.

Leave Donor: An Employee whose voluntary written request to deposit leave into a City sponsored leave bank under a major disaster leave-sharing plan.

Leave Recipient: An Employee for whom the City of Redding has approved an application to receive leave under a major disaster leave-sharing plan and is considered adversely impacted by a major disaster.

Termination Date: One year from the date of a proclamation of a Local Emergency.

1. POLICY

The City Council hereby establishes an employee major disaster leave-sharing plan (Plan). The Payroll division shall administer the Plan in compliance with IRS Rules and the following Plan Provisions.

Plan Eligibility:

Leave donors may donate accrued compensatory time off and vacation leave hours to a time bank for other employees who have been adversely affected by a major disaster and have exhausted their own non-sick leave accrual balances to use until the Termination Date. Leave recipients may use up to 160 hours of donated leave, until the Termination Date.

Donations to a Leave Recipient may not exceed the total number of hours of that employee's absence required by the adverse impact of the major disaster.

Unused donations as of the Termination Date will be returned to the Leave Donor. The amount of leave returned to each leave donor must be in the same proportion as the amount of leave donated by the leave donor bears to the total amount of leave donated on account of that major disaster.

Donations:

Leave donors may not donate leave to a specific Leave Recipient.

Donated hours must be in one hour increments.

Donations will be placed in a pool of hours to be distributed among all eligible Employees, subject to the number of hours donated and number of employees receiving donations each pay period.

To donate vacation, the Leave Donor must have 40 hours or more of accrued vacation hours remaining after the donation is made.

The total number of vacation leave hours a Leave Donor may donate may not exceed the number of hours normally accrued by the Leave Donor in a one-year period.

The total compensatory time off hours a Leave Donor may donate may not exceed the maximum amount of accrual provided in the Leave Donor's Memorandum of Understanding or Employment and Benefit Policies for Unrepresented Employees document.

Leave Donors may make donations for up to one year following the Proclamation of a Local emergency.

Donations may not be claimed as charitable contributions.

Leave donated for one Major Disaster may only be used for Leave Recipients adversely affected by the same Major Disaster. Except where impracticable, donations deposited under a Major Disaster that are not used by the Leave Recipients by the Termination Date will be returned to respective Leave Donors within a reasonable period of time, if those donors are still employees.

If the City receives donations that exceed leave requests, donation deductions may be suspended until donations are needed so that the City does not hold unused donations that might need to be returned to Leave Donors.

Usage:

Adversely Impacted employees may request for donations if the employee's primary residence has been significantly affected by the disaster and has caused severe hardship requiring them to be absent from work. Donations will be applied retroactively to those who were affected and exhausted their leave accruals. Employees must exhaust all non-sick leave balances prior to receiving donations under the Plan.

Donations are limited to a total of 160 hours per Major Disaster and may not be converted to cash in lieu of using the donations.

The City will convert the dollar value of the donation into an equivalent number of hours for the Leave Recipient to account for salary differences.

For example, Employee A has an hourly rate of \$30.00. Employee A donates two hours of leave totaling \$60.00. Employee B requests three hours of leave at a rate of \$15.00 per hour. Employee B then exhausts the dollar value of \$45 (three hours of leave), and a total value of \$15 of Employee A's donation remains in the major disaster leave-sharing bank.

Leave Recipients will be considered in a paid status for the purposes of insurance benefits while using donations.

Leave Recipients shall not accrue additional vacation, sick leave, compensatory time or other paid leave in pay periods where their compensation consists of only donations

Leave Recipients whose compensation consists of only donated leave the day before and/or the day after a holiday shall not be entitled to holiday pay, but can use donated leave to cover the holiday.

Authority:

Major Disaster donation requests shall be reviewed and approved or denied by the Employee's Department Director in conformance with the Plan.

2. PROCEDURE

Leave Donors:

Employees interested in donating leave may complete a Disaster Leave Donation Form and submit it to the Personnel Department for processing.

Leave Recipients:

Employees interested in using donations from the Major Disaster leave-sharing bank may complete a Disaster Leave Request Form and submit it to their Department Director or designee for approval/disapproval.

Department Director or designee will review and approve or disapprove the request and submit it to the Personnel Department.

The Personnel Department will review the request and if approved, submit it to Payroll for processing, or if disapproved, notify the employee of the results.