



City of Gainesville
Text File Report
Staff Recommendation

City Hall
200 East University Avenue
Gainesville, Florida 32601

Legislative File Number **980996**

..Title

Revision to Policy #29: Leave Bank

..Recommendation

Approve the revised Personnel Policy #29, Leave Bank, effective October 1, 1998. Authorize management to establish a Leave Bank for deceased employee John Green, who died on November 25, 1998, waiving the requirement that the Leave Bank be established within 15 days of death.

..Explanation

Currently Policy #29, Leave Bank, allows for a leave bank to be established for a qualified employee for one of two reasons: 1) to allow an ill or injured employee to continue to receive pay during an extended illness; or, 2) to allow a terminally ill employee to gather sufficient leave to convert to pension service credit, enabling the employee to achieve normal retirement eligibility resulting in continuing benefits for a beneficiary upon the employee's death. The current policy does not, however, provide for a leave bank to be established for an otherwise qualified employee who's death is otherwise untimely. The current policy is currently interpreted to mean that once an employee dies, the collection of hours to the leave bank will be discontinued.

This policy has been amended to allow a leave bank to be established posthumously to qualify an otherwise eligible deceased employee for normal retirement, resulting in a survivor benefit for the beneficiary designated by the employee, as well as provide for the continuation of the collection of vacation hours to the employee's sick leave bank at the time of the employee's death if a leave bank was established prior to the employee's death.

..Fiscal Impact

The fiscal impact of this change will effect only the City's defined benefit retirement plans and it is staff's opinion, based on information received from actuaries, that this change will have a deminimus impact on the defined benefit plans.



City of Gainesville
Master Report

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 200 East University Avenue
 Gainesville, Florida 32601

File Number 980996	File Type Staff Recommendation	Status On Consent Agenda
Version 0	Reference	In Control Personnel and Organizational Stru
File Name Revision to Policy 29: Leave Bank		Introduced 1/21/99
Requester MGR	Cost	Date Passed
Notes	Title	

Indexes	Sponsors
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History of Legislative File 980996						
Ver	Acting Body	Date	Action	Sent To	Due Date	Pass/Fail
0	Personnel and Organizational Structure Committee	1/21/99	Recommended for Approval			P



PERSONNEL POLICIES AND PROCEDURES POLICY NUMBER 29

Effective Date: 05/20/92

Revision Date: 10/01/98

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LEAVE BANK

1. For Use as Sick Leave

A regular employee having successfully completed the initial probationary period and having used all his/her sick and vacation leave may receive vacation leave donated on a strictly voluntary basis by fellow employees due to absence resulting from a serious illness, accident or disability of the employee or of the employee's immediate household family, where the employee's presence is needed. Immediate household is defined as spouse or dependent children or mother or father, living in the same domicile. Serious illness, accident or disability is defined to include only those instances where an employee is expected to be absent for at least thirty (30) consecutive calendar days. In the case of a member of the employee's immediate household, a serious illness, accident, or disability is defined to include only those instances in which the employee's presence is expected to be needed for at least thirty (30) consecutive calendar days.

Donations: Fellow employees may contract to donate a minimum of two (2) hours of their vacation leave time to be used as sick leave by the affected employee. The maximum number of hours an employee may donate is 40 hours for employees working a 40-hour week and 52 hours for employees working a 52-hour week. The total donated time from fellow employees shall not exceed three (3) calendar months.

Donated vacation leave will not be credited to the sick leave of the employee until such time as the employee's own paid leave has been exhausted. The employee's continued absence from work, required return to work, or subsequent separation from employment shall be governed by other applicable policies and procedures. If the illness or accident is total and permanent, employee should file for disability retirement with the Social Security Administration and the City of Gainesville. During the time in which the sick or disabled employee is receiving donated vacation leave from fellow employees, he/she will not be eligible to earn (accrue) sick leave or vacation leave.

Should an employee return to work prior to exhausting all donated hours, unused hours shall be returned to the donors.

2. To Achieve Normal Retirement Eligibility:

In addition to the procedures described in item 1 above, an employee may, with the following additional restrictions, receive voluntarily donated vacation leave in advance of having used up all of his or her sick leave. Utilization of donated vacation leave in this manner is limited to those situations in which the employee, at the time the authorization to create a Leave Bank is given, had at least eighty percent (80%) of the credited service needed for normal retirement and was otherwise eligible for normal retirement.

There shall be no restrictions on the amount of hours that may be donated or the length of a required absence before a leave bank may be established if an employee is absent due to serious illness, accident or disability, which condition is expected, based upon reasonable medical probability, to result in death within one (1) year from the creation of the Leave Bank, or otherwise dies. In the event of an employee's death prior to a leave bank being established, the leave bank must be established within 15 calendar days of the date of death. Donated vacation may be collected up to 90 days following the death of a terminally ill employee or for an employee who otherwise dies, 90 days from the establishment of the leave bank, so as to allow time to collect sufficient donations to qualify the employee for normal retirement.

Should more hours be donated than are required to reach normal retirement, hours in excess of those required will be returned to the donors. If a sufficient number of hours is not donated within the 90 day period described above, the beneficiary of the employee shall receive a full refund of the employee's contributions to the pension plan in lieu of receiving a retirement benefit and all donated hours will be returned to the donors.



PERSONNEL POLICIES AND PROCEDURES POLICY NUMBER 29

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LEAVE BANK

1. General: For Use as Sick Leave

~~An regular employee having successfully completed the initial probationary period and having used all his/her sick and vacation leave, due to absence resulting from a serious illness, accident or disability of the employee or of the employee's immediate household family, may receive vacation leave donated on a strictly voluntary basis by fellow employees due to absence resulting from a serious illness, accident or disability of the employee or of the employee's immediate household family, where the employee's presence is needed. Immediate household is defined as spouse or dependent children or mother or father, living in the same domicile, where the employee's presence is needed, may receive vacation leave donated on a strictly voluntary basis by fellow employees. Serious illness, accident or disability is defined to include only those instances where an employee is expected to be absent for at least thirty (30) consecutive calendar days. ~~or~~ In the case of a member of the employee's immediate household, a serious illness, etc., accident, or disability is defined to include only those instances in which the employee's presence is expected to be needed for at least thirty (30) consecutive calendar days.~~

Donations: Fellow employees may contract to donate a minimum of two (2) hours of their vacation leave time to be used as sick leave by the affected employee. The maximum number of hours an employee may donate is 40 hours for employees working a 40-hour week and ~~56~~ 52 hours for employees working a ~~56~~ 52-hour week. The total donated time from fellow employees shall not exceed three (3) calendar months. ~~Serious illness, accident or disability is defined to include only those instances where an employee is expected to be absent for at least thirty (30) consecutive calendar days, or in the case of a member of the employee's immediate household, a serious illness, etc., accident, or disability is defined to include only those instances in which the employee's presence is expected to be needed for at least thirty (30) consecutive calendar days. There shall be no restrictions on the amount of hours that may be donated in instances where the serious illness, accident or disability is expected, based upon a reasonable medical probability, to result in death within one (1) year from the creation of the Leave Bank.~~

2. Eligibility:

~~Only permanent full-time regular employees having completed the initial probationary period may receive donated vacation leave from fellow employees or volunteer to donate vacation leave to a fellow employee.~~

Time Limit:

~~The sick or disabled employee will remain on the payroll until he/she is able to return to work, donated leave expires, or until the doctor determines the employee's illness or accident has become a total and permanent disability, whichever comes first.~~

Donated vacation leave will not be credited to the sick leave of the employee until such time as the employee's own paid leave has been exhausted. The employee's continued absence from work, required return to work, or subsequent separation from employment shall be governed by other applicable policies and procedures. If the illness or accident is total and permanent, employee should file for disability retirement with the Social Security Administration and the City of Gainesville. During the time in which the sick or disabled employee is receiving donated vacation leave from fellow employees, he/she will not be eligible to earn (accrue) sick leave or vacation leave.

~~In the case of the employee whose immediate household member is sick or disabled, such employee shall remain on the payroll on paid leave until his/her presence is no longer needed or the donated leave expires. While the employee remains on payroll in this situation, he/she will not be eligible to earn (accrue) sick leave or vacation leave.~~

Should an employee return to work prior to exhausting all donated hours, unused hours shall be returned to the donors.

24. To Achieve Normal Retirement Eligibility:

In addition to the procedures described in items 1. through 3. above, an employee may, with the following additional restrictions, receive voluntarily donated vacation leave in advance of having used up all of his or her sick leave. Utilization of donated vacation leave in this manner is limited to those situations in which the employee, at the time the authorization to create a Leave Bank is given, had at least eighty percent (80%) of the credited service needed for normal retirement and was otherwise eligible for normal retirement.

There shall be no restrictions on the amount of hours that may be donated or the length of a required absence before a leave bank may be established if an employee is absent due to serious illness, accident or disability, which condition is expected, based upon reasonable medical probability, to result in death within one (1) year from the creation of the Leave Bank, or otherwise dies. In the event of an employee's death prior to a leave bank being established, the leave bank must be established within 15 calendar days of the date of death. Donated vacation may be collected up to 90 days following the death of a terminally ill employee or for an employee who otherwise dies, 90 days from the establishment of the leave bank, so as to allow time to collect sufficient donations to qualify the employee for normal retirement.

~~Terminal Illness: In those situations where an employee is absent due to serious illness, accident or disability, which condition is expected, based upon reasonable medical probability, to result in death within one (1) year from the creation of the Leave Bank, then the Leave Bank may be created and donated vacation leave credited to the employee's sick leave account prior to the employee having exhausted his or her own earned sick leave.~~

Should more hours be donated than are required to reach normal retirement, hours in excess of those required will be returned to the donors. If a sufficient number of hours is not donated within the 90 day period described above, the beneficiary of the employee shall receive a full refund of the employee's contributions to the pension plan in lieu of receiving a retirement benefit and all donated hours will be returned to the donors.

~~There shall be no restrictions on the amount of hours that may be donated in instances where the serious illness, accident or disability is expected, based upon a reasonable medical probability, to result in death within one (1) year from the creation of the Leave Bank, or in the event of the sudden or unexpected death of an employee for purposes of normal retirement as described herein.~~

~~Utilization of donated vacation leave in this manner is limited to those situations in which the employee, at the time the authorization to create a Leave Bank is given, had at least eighty percent (80%) of the credited service needed for normal retirement and was otherwise eligible for normal retirement.~~