

**LEGISLATIVE**

**#120736C**



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## Human Resources Policies

## Number L-7

Replaces Policy 29

# Leave Bank

### I. For Use as Sick Leave:

A regular employee having successfully completed the initial probationary period and having used all his/her applicable sick leave, vacation (annual leave), Paid Time Off (PTO) or Personal Critical Leave Bank (PCLB) may receive vacation or PTO, 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 certified domestic partner or dependent children or mother or father, living in the same domicile. For the purposes of this policy, dependent children are defined as the employee's unmarried, natural, adopted, or step-child(ren), or a child for whom the employee has been appointed legal guardian, or the natural or adopted child(ren) of the employee's current certified domestic partner, who are under the age of nineteen and dependent upon the employee for over half of his/her support.

**Donations:** Fellow employees may contract to donate a minimum of two (2) hours of their vacation or PTO time to be used as sick leave or PTO, as described in Section I, by the affected employee. The maximum number of hours an employee may donate is 40 hours for employees working a 40-hour workweek and 52 hours for employees working a 52-hour workweek. The total donated time from fellow employees shall not exceed 480 hours, except as provided below.

Donated vacation or PTO will not be credited to the sick leave or PTO 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 injury of the employee 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 employee is using donated vacation or PTO from fellow employees, he/she will not be eligible to earn (accrue) sick leave, vacation or PTO.

Should an employee return to work prior to exhausting all donated hours, unused hours shall be returned to the donors, except when the employee is returned to duty on a reduced leave schedule basis, i.e., x number of hours per day or x number of days per week. Employees returned to work on a regular basis who need to use intermittent leave are not eligible to use donated hours for such intermittent leave.

## II. To Achieve Normal Retirement Eligibility:

In addition to the procedures described in Section I above, an employee may, with the following additional restrictions, receive voluntarily donated vacation (annual leave) Paid Time Off (PTO), sick leave or Personal Critical Leave Bank (PCLB) in advance of having used up all of his or her sick leave and vacation or PTO and PCLB. Utilization of donated vacation, sick leave, PTO or PCLB 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 service retirement, was otherwise eligible for normal retirement and who 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. Only employees who are vested (without counting sick leave or PCLB) members of the City of Gainesville Employees Pension Plan and the City of Gainesville Police Officers and Firefighters Consolidated Retirement Plan may donate sick leave or PCLB. An employee who has donated vacation or PTO may not later substitute sick leave or PCLB for the previously donated hours.

Provided the criteria established above is met, 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. 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, sick leave, PTO or PCLB may be collected up to 90 days following the death of an employee so that sufficient donations may be obtained to qualify the employee for normal service 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. Sick leave and PCLB shall be returned before PTO and vacation leave, if applicable. 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.

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