



**WHATCOM COUNTY**  
**EXECUTIVE ORDER 97-02**

**Update of Procedures Regarding  
Sick Leave Sharing Program**

WHEREAS, a Sick Leave Sharing Program was negotiated pursuant to various collective bargaining agreements and is also applicable to unrepresented employees.

WHEREAS, procedures needed to be updated to clarify the parameters of the program.

NOW, THEREFORE, BY VIRTUE OF THE POWER VESTED IN ME BY THE HOME RULE CHARTER FOR WHATCOM COUNTY, I HEREBY ORDER EFFECTIVE IMMEDIATELY,

THE ATTACHED SICK LEAVE SHARING PROGRAM PROCEDURE.

Dated this 29th day of January, 1997.

Pete Kremen, County Executive

## 1. PURPOSE

The Sick Leave Sharing Program is a voluntary program that allows eligible regular employees to alleviate other employees' financial hardship by donating a portion of their accrued sick leave to qualified eligible regular employees who are unable to work because of extended serious illness or injury, have exhausted accrued leave, and are ineligible for workers' compensation. Collective bargaining agreements may have specific stipulations, outside of these general procedures, which should be adhered to.

### **Employee**

A. Submits request for contributions of sick leave via a Request for Sick Leave Donation form to the department head.

1. The request for approval must be accompanied by acceptable medical verification from a licensed physician. This must include the relevant medical facts, a description of the reasons the employee is unable to perform the duties of his/her position, and the physician's prognosis and expected date for return to work. Human Resources may verify or clarify submitted medical information as needed.

### **Department (Donee)**

A. Assures that employee requesting donated leave has met the following criteria.

1. Has completed six months of regular employment.
2. Is unable to work because of extended serious illness or injury, which requires hospitalization or extensive medical care (e.g., cancer, heart attack, etc.).
3. Is not eligible for workers' compensation benefits.
4. Has an acceptable history of sick leave usage.
5. Has completed and submitted a Request for Sick Leave Donation form to department head.

### **Department (Donee)**

B. Forward Request for Sick Leave Donation form to Human Resources.

### **Human Resources qualifications;**

A. Verifies medical condition meets program

convenes Sick Leave Donation Review Committee should the need arise; and makes recommendation as to whether or not the leave shall be granted.

- B. Forwards recommendation to Executive's Office for approval and final decision. Such decision shall not be subject to the Grievance Article of any collective bargaining agreement.

**Executive's Office** A. Returns signed original Request for Sick Leave Donation form to Human Resources.

A. Sick Leave Donation

**Review Committee** A. Convenes as necessary to review requests for sick leave donation which are disputed. The Committee shall be comprised of one employee member of applicable collective bargaining unit or unrepresented employee, one unrepresented employee chosen by the County Executive, and the Human Resources Manager, who shall act as Chair. The employee members must be regular full-time or part-time employees who are eligible to accrue and utilize sick leave.

**Human Resources** A. Notifies appropriate department head of final decision regarding request for sick leave donation.

- 1. B. Distributes notice regarding approved sick leave donation request.

**Department (Donee or Donor)** A. Assures that employees wishing to donate sick leave to a qualified recipient have met the following criteria:

- 1. Have completed a Sick Leave Sharing Program Donor form.
- 2. Have immediately subsequent to the donation 240 hours or more of accrued sick leave.

**Department (Donee or Donor)** 3. Have donated only in increments of 8 hours.

4. Have not donated more than 16 hours in a calendar year.

5. To address different work schedules (i.e., other than eight-hour days), donations can be made in increments of the donee's standard work day, not to exceed two standard working days.

**Human Resources** A. Coordinates implementation of the following Donation Parameters with departments and Central Payroll as necessary:

- 1. Total donated sick leave shall not exceed twelve weeks (480 hours) in a 12-month period. The 12-

month period, measured forward, begins on the date an employee first uses donated sick leave. Part-time employees will be pro-rated per their budgeted full-time equivalency (FTE).

2. Leave utilization by a qualified recipient will be on an hour-for-hour basis. Partial hours may be utilized with proper physician authorization.
3. Sick leave donations cannot be made to cover absences due to the illness or injury of family members.
4. Except as provided in this procedure, the Sick Leave Sharing Program does not supplant any established Personnel policy, procedure nor any terms or conditions of any applicable collective bargaining agreement or other governing document.
5. In the event a designated holiday occurs during the period of authorized leave, under no circumstances shall payment to the employee exceed the payment for their normal work schedule.
6. Donated sick leave to a qualified recipient may be terminated under any of the following conditions or circumstances:

**Human Resources**

- a. After use of 480 hours of donated leave in a 12-month period or an appropriate pro-rated amount.
  - b. Upon physician's release to regular work schedule.
  - c. Upon eligibility for disability benefits or retirement.
7. Donated sick leave is excluded from any sick leave cash out provisions.
  8. Notifies donee department of donated sick leave sharing hours.

**Department (Donee)**

- A. Assures that employee requesting donated leave has

exhausted all accrued leave before utilizing donated leave.

- B. Assures that donee timesheets do not exceed sick leave sharing hours donated.

**Employee**

- A. Notifies supervisor immediately if on approved donated leave and medical condition improves sufficiently to return to work, whether regular or light duty.

**Human Resources**

- A. In conjunction with the Department and Central Payroll, ensures that the spirit of the Sick Leave Sharing Program is followed. As such, an employee shall be subject to discipline, including possible termination and/or possible repayment of utilized leave if.
  - 1. An employee claims or receives unemployment compensation or accepts other employment while utilizing donated leave.
  - 2. Human Resources determines that an employee has abused, falsified information, or was otherwise not eligible for the leave.
  - 3. An employee fails to advise their Department of the physician's release to return to work in a timely manner.
  - 4. An employee attempts to coerce, force or solicit another employee's participation in the program.