

 <p>THE TOWN OF <b>Holly Springs</b></p> <p>Administrative Rules Manual</p>	Administrative Rule Number: HR 4.1 Title: Shared Leave Program	
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After filling out the ARM Form Header, UNLOCK the document before continuing to fill out the body. Instructions for unlocking a form are included in the text of AD-01.	Supersedes: Old HR4 Old Effective Date --	10/1/01
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**UNLOCK THIS FORM TO CONTINUE**

**Purpose**

The Town recognizes that staff members may have personal or family medical emergencies that cause a severe impact to them, resulting in a need for time off in excess of their paid leave. The shared leave program provides an opportunity for employees to assist other Town employees affected by serious prolonged medical conditions resulting in exhaustion of all paid leave and, therefore, loss of income. The shared leave program is strictly voluntary; no staff member shall be compelled to participate.

**Scope/Coverage**

This program covers all regular full-time town employees.

**Definitions**

**Serious Medical Condition**

An incapacitating, critical, or catastrophic illness or injury that poses a threat to life and/or requires incapacity, hospital or hospice health care and that has been certified by the treating licensed healthcare practitioner. The medical condition requires the employee to be medically unable to work for a period of 30 consecutive work days or more. The document from the attending physician should list the condition, prognosis and the estimated time for treatment or recovery.

**Employee Recipient**

An employee recipient must have been employed as a regular full-time employee with continuous employment with the Town for at least 12 months preceding the serious health condition. The recipient employee must have used all his/her sick leave, vacation leave and compensatory time hours prior to being eligible to receive shared leave. The recipient employee (or an immediate family member) must have a serious prolonged medical condition as defined above and, in all cases, submit a physician's statement of diagnosis, prognosis and estimated duration of medical leave necessary. Shared leave is not available for employees on Workers' Compensation leave or to supplement Workers' Compensation time loss benefits.

**Immediate Family Member**

Immediate family member in regards to the Shared Leave Program includes spouse, child (including stepchildren) or parent. Any exceptions must be approved by the Town Manager.

### Employee Donor

A donating employee must have been employed by the Town as a regular full-time employee a minimum of six months and may not reduce his/her vacation leave balance below 40 hours with the donation. Donations should be in 4-hour increments and the donating employee may not donate more than 120 hours of vacation leave in a calendar year.

### Recipient Procedures

Employees wishing to request shared leave must submit the completed Shared Leave Application Form with the physician's statement to Human Resources. Human Resources and the Town Manager will determine whether the employee qualifies for the shared leave program.

The Town will require that the treating licensed healthcare practitioner furnish medical certification prior to authorizing shared leave benefits. The certification form should include the diagnosis, prognosis and estimated duration of medical leave necessary before being considered for shared leave. Periodically, thereafter, medical re-certification may be required. If the recipient fails to provide medical certification, the recipient's continued receipt of shared leave shall be terminated.

### Donor Procedures

A staff member may donate shared leave by completing the Shared Leave Donation Form and submitting it to Human Resources.

### Donation Criteria

Vacation leave is transferred directly from the donor to the recipient, reported as shared leave, and paid at the recipient's current rate of pay.

Donations should be in 4-hour increments.

The maximum number of shared hours an employee can receive for any single illness is 800 hours (20 weeks). Recipients that have exhausted this 20-week period shall fall under the provisions of the Town Leave of Absence policy if the recipient is eligible.

Employees are limited to receiving a maximum of 12 months shared leave during employment with the Town.

An employee donating leave may not receive payment for the leave that has been donated.

Employees may not solicit leave directly from other employees under any circumstances. In addition, solicitation by department heads or supervisors on behalf of other employees is prohibited and shall be grounds for disciplinary action.

Donations will be taken in the order received. Donating employees will be notified if the donation is no longer needed. Donors and donation amounts shall remain confidential.

### **Shared Leave Use**

Shared leave benefits will run concurrently with any other applicable leave, such as family medical leave. Shared leave may only be used for time off related to the approved request.

While a staff member is using shared leave benefits, he or she will remain on the Town's payroll. The staff member will receive the pay and benefits he or she would otherwise receive if using his or her own sick or vacation leave, except that he or she will not earn vacation or sick leave benefits based on shared leave use.

### **Return to Work**

In the case of a staff member's own illness or injury, medical certification by the staff member's treating licensed healthcare practitioner will be required consistent with the provisions of the sick leave policy before the staff member can return to work.

### **Conclusion of Shared Leave Benefits**

The recipient's use of shared leave shall conclude when one of the following events occurs:

- When the full amount of shared leave authorized has been used
- When donated shared leave has been exhausted
- When the recipient returns to work
- When the staff member is no longer employed by the Town of Holly Springs
- When the recipient uses shared leave inappropriately
- Upon determination of the Town Manager, in his discretion

### **Right to Amend or Terminate Plan**

The program will be administered in coordination with the Town's other policies and benefit programs, including sick leave, vacation leave, FMLA leave, and disability insurance. The Town intends this program to be a continuing one but reserves the right to amend or terminate this program at any time. The Town Manager is authorized to make exceptions to this policy as necessary.

*End of Administrative Rule No. HR 4.1*