

AR 12-03

AN ADMINISTRATIVE REGULATION REPLACING  
AR 04-01, A VACATION DONATION POLICY

Section 1. Purpose.

A vacation donation policy has been established so that employees can donate some of their vacation leave to an employee who would otherwise need to take unpaid leave due to a serious health condition or other absence as defined under the federal Family and Medical Leave Act.

Section 2. Eligibility for Receiving Vacation Leave.

In order to receive a donation of accrued leave, the recipient employee must satisfy the following eligibility requirements:

- A. Employee shall be a City employee eligible for benefits.
- B. Employee must have exhausted all of his or her accumulated leave balances.
- C. Employee must have had a balance of at least 80 hours accrued sick leave just prior to the event triggering 100% depletion of all leave balances.
- D. The employee cannot be receiving workers' compensation or any other disability benefits.
- E. Leave donations shall not exceed 240 hours per employee in their City of Hobbs career.
- F. Employee shall not have entitlement to vacation leave which is donated but not used by the employee. Unused time reverts to donors.

Section 3. Procedures for Requesting Vacation Leave Donations.

- A. A Department Head, upon the employee's request, may request approval for receiving vacation leave donations by submitting a written request to the Personnel Director, preferably within at least one full pay period prior to the time being donated.
  1. The request must include the name of the employee, the nature of absence and the date of onset.
  2. The request must include the number of vacation leave hours requested and the period to be covered.
- B. The Personnel Director shall review the request prior to forwarding to the City Manager. A completed medical certification form will be required to support the request (available in the FMLA Request packet).
- C. Upon review, the City Manager may approve or reject the leave time.

Section 4. Eligibility for Donating.

In order for an employee to donate accrued and available vacation leave time, the donor employee must consider the following:

- A. Employees may donate up to 8.00 hours of accrued vacation time per occurrence, except fire department shift employees who may donate up to 11.35 hours of accrued vacation time per occurrence.
- B. Donated vacation leave time shall be in increments of either 4.00, 8.00 or 11.35 (fire shift employees only) hours.
- C. Should the recipient of the donated time return to work on an approved basis or terminate, any excess donated time shall be returned to the donor employee(s).
- D. Donated time to any employee shall only be used to bring an employee to full salary for regularly scheduled work hours. In no case shall any donation be paid out in cash when an employee terminates.

Section 5. Procedures for Donating Time.

- A. An authorization form shall be completed by the employee wishing to donate leave time to another employee. The original form shall be forwarded to the Personnel Division for review and processing. The original form shall be maintained by the Personnel Division.
- B. The cash value of the hours contributed will be computed based on the hourly rate of the individual contributing and will be paid at the hourly rate of the recipient.

  
\_\_\_\_\_  
Eric Honeyfield

2 - 13 - 12  
\_\_\_\_\_  
Date

I acknowledge that I was provided a copy of and have read this policy.

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Date