

RESOLUTION NO. 2024-5 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHEWELAH, WASHINGTON, ADOPTING PERSONNEL POLICIES AND BENEFITS FOR CITY OF CHEWELAH. EMPLOYEES

WHEREAS

The City of Chewelah desires to develop general guidelines or policies on personnel matters and employee benefits, in order to provide guidance to City employees, administration, and elected officials, and to comply with federal and state laws, the City hereby adopts the following policies; and The policies contained in this resolution are general guidelines for the City's current employment practices and procedures.

SHARED LEAVE PROGRAM

- a. The purpose of shared leave is to permit City employees, at no additional employee cost to the City other than the costs of administering the program, to come to the aid of a fellow City employee who is suffering from or has a family member suffering from an extraordinarily severe illness, injury, impairment, or physical or mental condition which has caused or is likely to cause the employee to take leave without pay or to terminate his/her employment. Voluntary participation in the donation of or receiving of sick leave or PTO, (Paid time off) is limited to eligible regular employees who meet the requirements of leave balances as stated in this policy.

For an employee to receive donated leave, the employee must first exhaust all of his/her own accumulated compensatory

time, personal holidays, vacation and sick leave.

An employee wishing to receive donated leave must submit a Request for Shared Leave Form. The reason an employee is eligible to receive donated leave may be kept confidential if the employee chooses not to release that information; however, this may affect his/her ability to receive donations. The employee requesting a donation of leave will provide appropriate medical justification and documentation which supports the necessity for the leave and the probable duration of the absence, if requested by the administration.

Requests to receive shared leave must be approved by the Department Head with the concurrence of the City Administrator; however, such leave shall not be unreasonably withheld.

This policy does not apply to short-term or sporadic conditions or illnesses. This would include such things as sporadic, short-term recurrences of chronic allergies or conditions or short-term recurring medical or therapeutic treatments. These examples are illustrative and are not all inclusive. Each case must be examined independently and decided on its conformity to policy intent and must be handled consistently and equitably.

Administration will notify employee of an approved request.

Any regular employee interested in donating leave must complete a Donation of Shared Sick Leave Form. Donations must be in 8-hour increments. All donations of leave are strictly voluntary and confidential. No employee shall be coerced, threatened, intimidated, or financially induced into donating leave. Donations of time may not bring the donor's sick time balance below 80 hours of sick leave, or 40 hours of

vacation leave.

Leave is donated on an hour for hour basis with no relation to actual earnings of either the donor or the recipient. Donated leave shall be utilized, as needed, in the order of receipt by the Clerk/Treasurer (first in, first out). An employee will not receive more than 2080 hours of shared leave in any 12-month period. The 12-month period is defined as a 'rolling' twelve-month period measured backward from the date an employee uses shared leave. To the extent possible, shared leave should be used on a consecutive basis and should run concurrently with the Family Medical Leave Act (FMLA). An employee who is entitled to FMLA benefits will be required to complete FMLA forms.

While an employee is on shared leave, he or she will continue to be classified as a City employee and shall receive the same treatment with respect to salary, wages, and employee benefits as the employee would normally receive if using accrued sick/vacation/personal holiday/compensatory hours, except that the shared hours received are not eligible for retirement benefits (with the exception of LEOFF II employees). All such current accruals shall also be depleted prior to any continuing use of donated hours.

Employees receiving shared leave may not use the donated leave for any purpose other than that as defined in their request for shared leave.

This is not intended to be a contract, express or implied, or any type of promise or guarantee of specific treatment upon which employees may rely, or as a guarantee of employment of any specific duration.

Because of the City's size, exceptions may need to be made to these policies as circumstances require. Resolution No. 2024-5 repeals and voids all preceding resolutions or ordinances pertaining to personnel matters, employee conduct, office or working hours and employee benefits in the City of Chewelah.

In addition, to the foregoing, the Mayor of Chewelah is empowered with the authority to establish any administrative regulations necessary to implement personnel policies adopted by the Chewelah City Council.

Resolved this 1st Day of May, 2024

Attest/Authenticated

Clerk Treasurer, Julie Culverwell

Mayor, M. Gregory McCunn

DRAFT

*Depletion of Leave

- q. Employees who use all their accumulated sick leave and other paid time off and require more time off work due to illness, disability or injury may, depending on the circumstances, and with the City's prior approval, take shared sick leave, or leave without pay.

*Cash Outs

- r. On December 31st of each year, an employee who has accrued over seven hundred twenty (720) hours of sick leave will be compensated at 25% of the employee's base rate of pay, bringing the total hours accrued down to 720 hours. Employees who terminate employment prior to the conversion date will forfeit the cash pay-out.
- s. Employees are not paid for any accrued but unused sick leave upon leaving City employment except as noted in Section 2(r) of this Chapter.

3. SHARED SICK LEAVE PROGRAM

- a. The purpose of shared leave is to permit City employees, at no additional employee cost to the City other than the costs of administering the program, to come to the aid of a fellow City employee who is suffering from or has a family member suffering from an extraordinarily severe illness, injury, impairment, or physical or mental condition which has caused or is likely to cause the employee to take leave without pay or to terminate his/her employment. Voluntary participation in the donation of or receiving of sick leave or PTO, (Paid time off) is limited to eligible regular employees who meet the requirements of leave balances as stated in this policy.
- b. For an employee to receive donated leave, the employee must first exhaust all of his/her own accumulated compensatory time, personal holidays, vacation and sick leave.
- c. An employee wishing to receive donated **sick** leave must submit a Request for Shared **Sick** Leave Form. The reason an employee is eligible to receive donated **sick** leave may be kept confidential if the employee chooses not to release that information; however, this may affect his/her ability to receive donations. The employee requesting a donation of **sick** leave will provide appropriate medical justification and documentation which supports the necessity for the leave and the probable duration of the absence, if requested by the administration.
- d. Requests to receive shared **sick** leave must be approved by the Department Head with the concurrence of the City Administrator; however, such leave shall not be unreasonably withheld.
- e. This policy does not apply to short-term or sporadic conditions or illnesses. This would include such things as sporadic, short-term recurrences of chronic allergies or conditions or short-term recurring medical or therapeutic treatments. These examples are illustrative and are not all inclusive. Each case must be examined independently and decided on its conformity to policy intent and must be handled consistently and

equitably.

- f. Administration will notify employee of an approved request.
- g. Any regular employee interested in donating **sick** leave must complete a Donation of Shared Sick Leave Form. Donations must be in 8-hour increments. All donations of leave are strictly voluntary and confidential. No employee shall be coerced, threatened, intimidated, or financially induced into donating **sick** leave. Donations of **sick** time may not bring the donor's sick time balance below 80160 hours of sick leave, or 40 hours of vacation leave. ~~An employee may donate a maximum of 40 sick hours in any calendar year.~~
- h. Leave is donated on an hour for hour basis with no relation to actual earnings of either the donor or the recipient. Donated leave shall be utilized, as needed, in the order of receipt by the Clerk/Treasurer (first in, first out). An employee will not receive more than 2080 240 hours of shared **sick** leave in any 12-month period. The 12-month period is defined as a 'rolling' twelve-month period measured backward from the date an employee uses shared leave. To the extent possible, shared leave should be used on a consecutive basis and should run concurrently with the Family Medical Leave Act (FMLA). An employee who is entitled to FMLA benefits will be required to complete FMLA forms.
- i. While an employee is on shared **sick** leave, he or she will continue to be classified as a City employee and shall receive the same treatment with respect to salary, wages, and employee benefits as the employee would normally receive if using accrued sick/vacation/personal holiday/compensatory hours, except that the shared hours received are not eligible for retirement benefits (with the exception of LEOFF II employees). All such current accruals shall also be depleted prior to any continuing use of donated hours.
- j. Employees receiving shared leave may not use the donated leave for any purpose other than that as defined in their request for shared leave.

4. LEAVE WITHOUT PAY

- a. The Mayor may grant leaves of absence without pay from work not covered by any other type of leave or if other leave balances are exhausted. Examples of situations for which leave without pay may be granted include time off for personal reasons, such as prolonged illness, parenting, caring for an ill relative, pursuing an education, or fulfilling a military obligation in excess of twenty-one (21) days per year.
- b. Only regular full-time and regular part-time employees who have satisfactorily completed their trial period are eligible for leave without pay. The following requirements may apply:
 - 1) Leave may be granted to an employee for a period of up to thirty (30) days upon the approval of the Mayor. Further extensions are at the discretion of the Mayor. Accrued compensatory time, personal holidays, and vacation leave must be