

EXECUTIVE ORDER NO. 77

EFFECTIVE DATE: November 13, 2000

SUBJECT: ADMINISTRATION OF SICK LEAVE TRANSFER POLICY

Metro Code Sections 2.02.145(f) and 2.02.405 establish the policy governing transfer of sick leave hours between employees. (These Code sections are attached to this Executive Order, for reference.) The policy as outlined in the Code leaves some administrative matters open to interpretation; this Executive Order is for the purpose of clarifying procedures for the administration of the sick leave transfer policy.

ELIGIBILITY

An employee may transfer sick leave hours only while s/he is in continuous employment with Metro. An employee may not transfer sick leave hours within one month prior to the date of her/his termination as a Metro employee or the date a letter of resignation is submitted, whichever is earlier. MERC employees are subject to a different policy which provides for vacation leave transfer in certain circumstances. This Executive Order and the cited provisions of the Metro Code do not apply to MERC staff. MERC staff should consult the MERC personnel policies and any applicable collective bargaining agreements to determine their eligibility for vacation leave transfer.

USE OF LEAVE HOURS

All leave hours accrued by the requesting employee shall be exhausted before utilizing any time transferred from other employees. This includes vacation, personal holidays, and sick leave, and further includes time accrued while the employee uses his/her own accrued leave. Use of transferred leave will be consistent with applicable leave policies or collective bargaining agreements.

DEPARTMENT DIRECTOR APPROVAL

A request for solicitation of sick leave transfer must be approved by the requesting employee's department director prior to its submittal to the Executive Officer. If a request is approved by the department director, it will then be forwarded to the Employee Benefits Officer for review prior to submittal to the Executive Officer.

The transferring employee's department director must authorize the transfer of hours by signature. Such authorization will indicate the transfer of hours can be accomplished within the departmental fiscal year budget.

SOLICITATION OF SICK LEAVE TRANSFER

Following approval of a request for transfer of sick leave hours by the Executive Officer, the employee benefits manager or his/her supervisor shall notify Metro employees of the request. Such notification shall include the name and department of the requesting employee, and advise employees whom to contact to initiate transfer of their hours or to get more information about the process; it shall not disclose personal information nor describe the nature of the illness of the requesting employee.

SUBMITTAL OF TRANSFER AUTHORIZATIONS

Upon approval by the department director of an employee's transfer of sick leave hours, the department director shall forward the authorization to Payroll, with a copy to the employee who is transferring the hours.

APPLICATION OF TRANSFERRED HOURS

All sick leave transfers that meet the requirements of the Code will be made in the following order:

1. Transfers from employees in the requesting employee's department will be taken first, until exhausted.
2. Transfers from all other employees will be taken on a pro-rated basis, following the exhaustion of sick leave transfers from the requesting employee's department.

MONETARY CHARGES BY DEPARTMENT

Payments made through this program will be charged against the budget of the transferring employee's department.

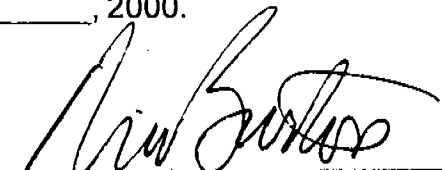
TERMINATION OF TRANSFER

The requesting employee shall provide written notice from her/his physician that s/he is capable of returning to work, which notice shall be submitted to the employee's department director. The department director shall forward this notice to Payroll and to the Employee Benefits Manager.

FURTHER INTERPRETATIONS

The Director of Administrative Services, or her/his successor, is authorized to make subsequent interpretations of the sick leave transfer policy as they may become necessary.

ORDERED this 13 day of Nov, 2000.


Mike Burton, Executive Officer

ATTACHMENT
Applicable Sections of Metro Code

Non-Represented Employees

Section 2.02.145(f) Transfer of Leave Credits. Sick leave is provided as a benefit to each employee as insurance for period of illness. Under normal circumstances benefits are not transferable; however, upon written request of a regular employee to the executive officer the voluntary transfer of sick leave hours may be authorized on a limited, carefully monitored basis as follows:

(1) Each request will be reviewed and approval granted or denied on a case-by-case basis by the executive officer.

(2) Requests must be due to a catastrophic, long-term, or chronic illness of the requesting employee only.

(3) The requesting employee must have no more than 40 hours, combined accrued sick leave hours and accrued vacation leave hours at the time of the request.

(4) Upon approval per (1) above, the requesting employee, or another employee he/she has designated, may initiate a request to Metro employees for the transfer of accrued sick leave hours.

(5) Employees wanting to voluntarily transfer accrued sick leave hours to the requesting employee may do so only as follows:

(A) The transferring employee's department director must authorize the transfer of hours by signature, such authorization will indicate the transfer of hours can be accomplished within the departmental fiscal year budget.

(B) The transfer of accrued sick leave hours cannot exceed a total of 40 hours per transferring employee for each individual requesting employee for each fiscal year.

(C) Under no circumstances shall the transferring employee's sick leave balance be reduced to below 120 hours of accrued sick leave because of the voluntary transfer of sick leave hours to another employee.

(6) Normal leave accruals will not continue for requesting employees while they are on paid leave status as a result of transferred hours. However, health and welfare benefits provided for any other employee on paid leave status will continue for the requesting employee for as long as they remain on paid status.

(7) Any transferred sick leave hours unused by the requesting employee shall be returned to all transferring employees' sick leave accrual balances on a pro-rated basis.

(8) Copies of approved requests and approved transfers of hours must be sent to the finance and management information department, accounting division, for implementation and to the office of personnel.

(Ordinance No. 81-116, Sec. 38. Amended by Ordinance No. 82-139, Sec. 2; Ordinance No. 94-523B)

Represented Employees

2.02.405 Sick Leave Transfer

Under normal circumstances leave accruals are not transferable. However, upon written request of a regular employee to the executive officer, the voluntary transfer of sick leave hours may be authorized on a limited, carefully monitored basis as follows:

(a) Each request will be reviewed and approval granted or denied on a case by case basis by the executive officer.

(b) Requests must be due to a catastrophic, long-term, or chronic illness of the requesting employee only.

(c) The requesting employee must have no more than forty (40) hours, combined accrued sick leave hours and accrued vacation leave hours, at the time of the request.

(d) Upon approval per (1) above, the requesting employee, or another employee he/she has designated, may initiate a request to Metro employees for the transfer of accrued sick leave hours.

(e) Employees wanting to voluntarily transfer accrued sick leave hours to the requesting employee may do so only as follows:

(1) The transferring employee's director must authorize the transfer of hours by signature, such authorization will indicate the transfer of hours can be accomplished within the departmental fiscal year budget.

(2) The transfer of accrued sick leave hours cannot exceed a total of 40 hours per transferring employee for each individual requesting employee for each fiscal year.

(3) Under no circumstances shall the transferring employee's sick leave balance be reduced to below 120 hours of accrued sick leave because of the voluntary transfer of sick leave hours to another employee.

(f) Normal leave accruals will not continue for requesting employees while they are on paid leave status as a result of transferred hours. However, health and welfare benefits provided for any other employee on paid leave status will continue for the requesting employee for as long as they remain on paid status.

(g) Any transferred sick leave hours unused by the requesting employee shall be returned to all transferring employees' sick leave accrual balances on a pro-rated basis.

(h) Copies of approved requests and approved transfers of hours must be sent to the finance and management information department, accounting division for implementation and to the office of personnel.

(Ordinance No. 94-523B)



METRO

TO: All Department Directors

FROM: Cathy Kirchner

A handwritten signature in black ink, appearing to read "Cathy", is written over the printed name "Cathy Kirchner".

DATE: November 14, 2000

RE: Executive Order 77

Attached is a copy of Executive Order 77, Administration of Sick Leave Transfer Policy. Please be certain to share this information with your staff.

cc: Jeff Stone, Council Chief of Staff
Alexis Dow, Auditor