

METRO EXPOSITION-RECREATION COMMISSION

RESOLUTION NO. 93-7

Approving a policy to allow the voluntary transfer of vacation leave credits for Commission employees who have successfully completed their initial probationary period.

The Metro Exposition-Recreation Commission finds:

1. That vacation leave accruals are generally viewed as a monetary benefit and regular Commission employees are entitled to payment for accrued vacation leave upon separation from the Commission;


2. That regular full-time Commission employees are allowed to accrue and use vacation leave time and that accrued vacation leave hours are capped at a 250 hour limit;

3. That regular Commission employees may be afflicted with catastrophic, long-term, or chronic illnesses which may result in the affected employee having to use all of their accrued vacation leave and accrued sick leave balances causing them to be placed on leave without pay during an otherwise devastating period in their lives; and

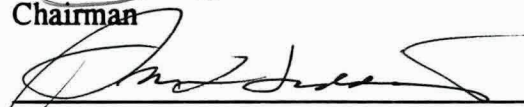
4. That it is the desire of the Commission to be a compassionate yet responsible employer.

BE IT THEREFORE RESOLVED that the Metro Exposition-Recreation Commission approves Section 9.03 (E), Transfer of Vacation Leave Credit, of the Personnel Policies which allows the transfer of vacation leave credits from one regular employee to another regular employee for reasons of catastrophic, long-term, or chronic illness of employees only.

Passed by the Commission on August 11, 1993.




Chairman



Secretary/Treasurer

Approved As To Form:
Daniel B. Cooper, General Counsel

By: 

Mark B. Williams
Senior Assistant Counsel

9.03 VACATION LEAVE

(E) Transfer of Vacation Leave Credits.

Under normal circumstances leave accruals are not transferrable. However, upon written request of a regular Commission employee to the General Manager, the voluntary transfer of vacation 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 General Manager.
- (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 accrued sick leave balance and no accrued vacation leave balance at the time of the request.
- (4) Upon approval per (1) above, the requesting employee, or another Commission employee they have designated, may initiate requests to Commission employees for the transfer of accrued vacation leave hours.
- (5) Employees wanting to voluntarily transfer accrued vacation leave hours to the requesting employee may do so only as follows:
 - (a) 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 facility fiscal year budget;
 - (b) the transfer of accrued vacation leave hours cannot exceed a total of 40 hours per transferring employee for each individual requesting employee for each fiscal year;
 - (c) if the transferring employee's vacation leave balance has reached the capped limit, the employee cannot uncap their accrued hours to allow for a transfer of hours, transferred hours must be deducted from accrued hours at or below the allowable cap.
- (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 vacation leave hours unused by the requesting employee shall be returned to all transferring employees vacation leave accrual balances on a pro-rated basis.
- (8) Copies of approved requests and approved transfers of hours must be sent to the Payroll Supervisor for implementation and to Personnel.

MERC STAFF REPORT

Agenda/Item Issue: CONSIDERATION OF RESOLUTION ADOPTING A TRANSFER OF VACATION LEAVE CREDITS POLICY.

Resolution No. 93-7

Date: July 27, 1993

Presented by: Paula Paris

BACKGROUND: Vacation Leave accrual and use are included in the Commission Personnel Policies. However, since the adoption of the revised Personnel Policies in July 1992, it has been brought to our attention that there is a need, under certain circumstances, for employees to use all of their accrued leave balances, when they have a catastrophic, long-term, or chronic illness.

Some employers allow the transfer of sick leave hours, however, sick leave is a form of insurance for the employee and should not be transferrable to another employee. Vacation leave, on the other hand, is transferrable into cash upon separation of employment and is generally viewed as a monetary benefit to employees. Additionally, vacation leave is capped at 250 hours and is thus a more limited and finite liability, while accrued sick leave hours are not capped and can accrue to any maximum rate allowable under determined accrual rates. Therefore, the voluntary transfer of vacation leave hours from one employee to another is a more suitable approach with regard to this area of concern for employees.

FISCAL IMPACT: The policy provides that the Director of the employee wanting to transfer vacation leave to another employee must authorize the transfer of hours by signature, and that such authorization will indicate the transfer of hours can be accomplished within the facility fiscal year budget. There is the potential of paying for more vacation leave time for an employee transferring hours that they might otherwise use, however, there would be no additional fiscal budgetary impact over and above what has already been approved by the Commission.

RECOMMENDATION: Because employees may become afflicted with a catastrophic, long-term, or chronic illness which may result in them using all of their accrued sick and vacation leave balances, and because this policy provides the Commission to be a compassionate yet fiscally responsible employer, we request adoption of the Transfer of Vacation Leave Credit policy.