

**RESOLUTION NO. 600**

**A RESOLUTION OF THE CITY OF GIG HARBOR, WASHINGTON, REPLACING THE PROVISIONS OF THE CITY OF GIG HARBOR PERSONNEL REGULATIONS EMPLOYEE BENEFITS SECTION T. SHARED LEAVE, IN ORDER TO PROVIDE FOR A LIMITED EXPANSION OF THE PROGRAM, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.**

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WHEREAS, the City of Gig Harbor has an established shared leave program in order to provide for the transfer of accrued vacation leave benefits from one employee to another who has suffered a catastrophic illness and has exhausted his or her leave benefits; and

WHEREAS, the City Council believes it to be in the public interest, and the best interests of its employees, to expand the program to permit the use and transfer of sick leave from one employee to another for a catastrophic illness, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DO  
RESOLVE AS FOLLOWS:

Section 1.     Shared Leave Program.

A.     Intent.   The purpose of shared leave is to permit city employees, at no additional employee cost to the city other than the administrative cost of administering the program, to come to the aid of a fellow employee who is suffering from illness, injury, impairment, physical or mental conditions which has caused, or is likely to cause, the employee to take leave without pay or to terminate his or her employment.

B.     The City Administrator may permit an employee to receive shared leave under this section if:

1.     The employee suffers from an illness, injury, impairment or physical or mental condition, which has caused, or is likely to cause, the employee to go on leave without pay or to terminate his or her employment with the city.

2. The employee has depleted or will shortly deplete his or her total of accrued vacation, sick leave, compensatory time, holiday time, and/or other paid leave.

3. Prior to a request to use of shared leave, the employee has abided by the sick leave policy.

4. The employee has diligently pursued and is found to be ineligible for state industrial insurance benefits or such benefits have been exhausted.

5. Use of shared leave will not significantly increase the city's costs except for those costs which would otherwise be incurred in the administration of this program and which would otherwise be incurred by the employee's department.

C. The City Administrator shall determine the amount of shared leave, if any, which an employee may receive under this ordinance. The employee shall be required to provide appropriate medical justification and documentation both of the necessity for the leave and the time that the employee can reasonably be expected to be absent due to the condition. Shared leave cannot be used to extend the absence of the employee beyond the post-leave time prescribed by State Statute, the applicable labor agreement, or city policy.

D. Shared leave shall be funded through voluntary transfers of accrued vacation and/or sick leave from other city employees to the employee approved for a shared leave. Co-workers who donate leave must retain a reasonable amount of accrued vacation and sick leave to protect them from a wage loss due to illness or injury and to enjoy a reasonable vacation period. All donations shall be voluntary. The Finance Director shall determine that no significant increase in city costs will occur as a result of the transfer of leave.

F. 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, in respect to salary and benefits, as the employee would otherwise receive if using vacation leave.

1. All salary benefit payments made to the employee on a shared leave shall be made by the department employing the person using the shared leave.

2. The employee's salary rate shall not change as a result of being on shared leave nor, under any circumstances, shall the total of the employee's salary and other benefits, including but not

limited to state industrial insurance or any other benefit received as a result of payments by the city to an insurer, health care provider, or pension system, exceed the total of salary and benefits which the employee would have received had he or she been in a regular pay status.

G. Leave shall be transferred on a dollar-for-dollar basis. The value of the leave shall be determined at the current hourly wage of the transferor and the leave available to the receiving employee shall be calculated at the receiving employee's wage.

H. The Finance Director shall be responsible for computing values of donated leave and shared leave, and shall also be responsible for adjusting the accrued leave balances to show the transferred leave. Records of all leave time transferred shall be maintained in the event any unused time is returned at a later date. The City Administrator shall report annually to the City Council as a part of the budget process regarding this program, its usage and any costs associated with it.

I. The value of any leave transferred, which remains unused shall be returned at its original value to the employee or employees who donated the leave. The City Administrator shall determine when shared leave is no longer needed. To the extent administratively feasible, the unused leave shall be returned on a pro-rata basis.

J. The City Administrator shall monitor the use of shared leave to insure equivalent treatment for all employees of the city. Inappropriate use or treatment of the shared leave provision may result in cancellation of the donated leave or use of shared leave.

K. This is a pilot program and creates no vested rights. It may be amended, suspended or terminated at any time by the City Council.

Section 2. Ratification and Confirmation All acts consistent with and prior to the effective date of this Resolution-are hereby ratified and confirmed.

Section 3. Effective Date. This Resolution shall be effective the 13th day of January, 2003.

APPROVED:

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MAYOR GRETCHEN WILBERT

ATTEST/AUTHENTICATED:

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CITY CLERK, MOLLY TOWSLEE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY \_\_\_\_\_  
W. Scott Snyder

FILED WITH THE CITY CLERK: 12/5/02  
PASSED BY THE CITY COUNCIL: 1/13/03  
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