

Mercer Island

Shared Leave Program

The purpose of shared leave is to permit employees of the City to assist a fellow employee. A Department Director and Human Resources, with the City Manager's approval, may permit an employee to receive donated vacation leave under this policy if all of the following conditions are met:

1. The employee suffers, or has an immediate family member suffering from an illness, injury, impairment, or physical or mental condition which is of an extraordinary or severe nature and which has caused, or is likely to cause, the employee to go on leave without pay status.
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 the use of shared leave, the employee has abided by the City's sick leave policy or, in the case of represented employees, the sick leave policy as specified in the appropriate collective bargaining agreement.
4. The employee has diligently pursued and is found to be ineligible for State Industrial Insurance or other disability benefits. This program will not be used if it in any way jeopardizes the employee's eligibility for long term disability, Workers' Compensation or any other benefits. An employee receiving long term disability or Workers' Compensation is not eligible to receive shared leave.
5. The use of shared leave will not significantly increase the City's costs, except for those costs which would be incurred in the administration of this program or which would otherwise be incurred by the employee's department.

The Department Director and Human Resources, with the concurrence of the City Manager, will determine the amount of shared leave, if any, which an employee may receive. The employee will be required to provide appropriate medical documentation both of the necessity for the leave and the estimated time in which the employee is likely to be absent. The amount of time an employee is eligible to be out on shared leave will not exceed six months unless there are extenuating circumstances. The City retains the right to recruit for and hire a replacement after twelve weeks of leave (see the Family Medical Leave Act policy). An employee will not receive more than the equivalent of one-half of the number of hours in their typical work year as shared leave throughout his or her employment with the City. To the extent possible, shared leave should be used on a consecutive basis and it should run concurrently with the Family Medical Leave Act. Employees receiving shared leave may not use the donated leave for any purpose other than that as defined in their request for shared leave. If a balance of donated leave remains at the end of the defined condition or situation, the amount will be redistributed to leave donors by Human Resources.

In order to be eligible to donate vacation leave, an employee must have a total of more than 10 days of accrued vacation leave, have taken at least 10 days of vacation leave within the calendar year or have a total of accrued and used vacation leave of greater than 10 days for the calendar year. (Because of their work schedule, Fire Division employees who wish to retain less than 10 days of vacation leave may apply to the Public Safety Director for an exception to this rule).

Transfers of vacation leave will be in increments of no less than four (4) hours of leave. In no event will a transfer of leave be approved which would result in an employee reducing his or her total vacation leave in a calendar year to less than 10 days. When reviewing Police and Fire employees, the Public Safety Director may also consider whether additional time off will be provided through compensatory and/or holiday leave unique to the department. The Department Director will not transfer vacation leave in excess of the amount specified in the request. All donations of leave will be voluntary. The Department Director will determine that no significant increase in City costs will occur as a result of a donation of leave.

Leave may be transferred from employee(s) from one department to an employee of the same department, or, with the concurrence of both Department Directors, to an employee of another department.

While an employee is on shared leave, he or she will continue to be classified as a City employee and will receive the same treatment, in respect to salary and benefits, as the employee would otherwise receive if using vacation leave.

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

The employee's salary rate will not change as a result of being on shared leave nor, under any circumstances, will 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.

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

The Human Resources office will compute the values of donated leave and shared leave, and will also be responsible for adjusting the accrued leave balances to show the transferred leave. Records of all leave time transferred will be maintained in the event any unused time is returned at a later date.

The value of any leave transferred which remains unused will be returned at its original value to the employee or employees who donated the leave. The Department Director will determine when shared leave is no longer needed. When there have been multiple donors, and to the extent administratively feasible, the unused leave will be returned on a prorated basis.

Human Resources will 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 by an employee may result in the cancellation of the donated leave or the use of shared leave.

The City may change or cancel this program at any time. Participation in the program will be predicated upon a receipt from each affected bargaining unit of a written waiver executed by the appropriate bargaining unit representative indicating that the unit agrees that the program will not establish a past practice by the City or otherwise obligate the City to continue the program and acknowledging that the City may cancel the program at any time or review it in one-year increments, extending it from time to time as the City, in its sole discretion, will determine appropriate.