

PASSED: March 12, 2018
BY: Kamine

ORDINANCE NO. 2018-8

ORDINANCE PROVIDING FOR THE DONATION OF SICK LEAVE BY
EMPLOYEES

WHEREAS, Amberley Village greatly values the hard work and contributions by Village employees;

WHEREAS, occasionally employees, through no fault of their own, may suffer an unexpected or catastrophic illness requiring an extended absence from work, but the employee may not have sufficient accumulated sick leave to cover the absence;

WHEREAS, the Compensation and Benefits Committee has consulted with staff and recommends adopting a program whereby employees may donate sick leave to other employees in need, while balancing the needs and budget of the Village to accommodate such a program;

NOW, THEREFORE, BE IT ORDAINED BY THE Council of Amberley Village, State of Ohio, seven (7) members elected thereto concurring:

SECTION 1: Section 35.04(J) of the Municipal Code of Ordinances, which is to be added to and amends the Municipal Code of Ordinances, reads as follows:

§ 35.04 SICK LEAVE.

(J) Donation of sick leave.

(1) *Purpose.* To support employees that are forced to endure a catastrophic illness or injury, employees are permitted to donate sick leave to other employees in order to supplement their paid sick leave while absent from work.

(2) *Definitions.* The term **DONOR** means the person donating leave to another employee. The term **DONEE** means the person receiving a donation of leave.

(3) Each donation of sick leave must be for a minimum of eight hours. An employee may donate up to a maximum of 80 hours of sick leave to another employee each time there is a need and it is approved by the Manager and Fiscal Officer. Donors must retain a sick leave balance of at least 400 hours after a donation. No donated leave will be returned to the donor, whether or not the leave is used by the donee. All requests to donate sick leave must be in writing by the donor to the Village Fiscal Officer. Donation requests must be approved by the Fiscal Officer, the donor's and donee's respective department heads, and the Village Manager, before the leave can be donated.

(4) A separate sick leave bank will be established for each donee in need. Donated time may be used by a donee only after he or she has exhausted his or her paid leave, including but not limited to all sick leave, vacation leave, comp time, etc. Each donee's sick leave bank may not exceed a total accumulation of more than 240 hours at any time. All unused leave in the donee's sick leave bank will expire 90 days after the donee returns to work. Donated sick leave may be used by the donee as his or her regular sick leave is used, except that time in the sick leave bank cannot be used by the donee to receive payment upon retirement.

(5) Donors and donees must be in good standing with his or her department in order to participate in the donation program.

(6) The Village Manager has the authority to determine whether a potential donee's illness or injury warrants participation in the donation program. The Manager may require whatever proof of illness or injury from the potential donee or his or her medical providers deemed necessary to enable the determination.

SECTION 2: That this Ordinance is declared to be emergency legislation, necessary for the immediate preservation of the public peace, health, and safety. Further, such emergency is necessary to enable potential donations of sick leave to an employee in need of donations before the time by which this ordinance would otherwise take effect.

Passed this 12th day of March 2018.

Mayor Thomas C. Muething

Attest:

Nicole Browder, Clerk of Council

Ordinance Vote:

Moved: Kamine Seconded: Wolf

Muething	Aye
Wolf	Aye
Bardach	Aye
Conway	Aye
Hattenbach	Aye
Kamine	Aye
Warren	Aye

I, Clerk of Council of Amberley Village, Ohio, certify that on the ____ day of March, 2018, the forgoing Ordinance was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Ordinance at all of the places of public notice as designed by Sec. 31.40(B), Code of Ordinances.

Nicole Browder, Clerk of Council