



**Title:** Approval of Employee Sick and Vacation Time Donation Policy

**Resolution number:** 22-033

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**Reviewed by:** Name/Title: James Wisker, District Administrator

**Recommended action:** Approval at the May 26, 2022 Board meeting

**Budget considerations:** None

**Past Board action:** None

**Summary:**

The purpose of the District's employee sick and vacation leave donation policy is to allow employees to donate their accrued sick and/or vacation time to another employee's sick time bank.

A recipient of donated time is an employee who does not have a sufficient sick or vacation accrual balance to cover time away from work to care for their serious medical condition or that of a qualified dependent. An employee must meet eligibility requirement as outlined in the policy and their request must be approved by the District Administrator.

Employees may donate their accrued sick and/or vacation at any time. If there is no approved recipient at the time of donation, the donation will be added to the donation bank. Donations cannot be returned. Donations are paid out to the recipient at their pay rate regardless of the pay rate of the employee who donated the time. Once an employee returns to full-time work, any unused donated leave will be refunded back to the District's general bank of donated leave. Should a recipient of donated time leave the District with a sick time balance that includes donated time, this time will be deducted from any payout due to the employee.

**Supporting documents (list attachments):**

Draft Employee Sick and Vacation Time Donation Policy



**RESOLUTION**

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WHEREAS, The Minnehaha Creek Watershed District wishes to institute a policy whereby employees may donate their accrued sick and/or vacation time to another employee;

WHEREAS, Eligible employees who do not have sufficient sick or vacation time accrued to cover time away from work to care for their serious medical condition or that of a qualified dependent, may apply to be the recipient of donated time and if approved by the District Administrator the donated time will be added to their sick time balance;

WHEREAS, Time donations may be given to an approved recipient or banked;

WHEREAS, Donated time cannot be returned once donated and will not be paid out should the recipient leave employment with the District with donated time in their bank; and

WHEREAS, the Board of Managers have reviewed the attached policy and find it a suitable addition to the employee policies.

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers: hereby adopts the MCWD Employee Sick and Vacation Time Donation Policy.

Resolution Number 22-033 was moved by Manager \_\_\_\_\_, seconded by Manager \_\_\_\_\_. Motion to adopt the resolution \_\_\_ ayes, \_\_\_ nays, \_\_\_ abstentions. Date: 5/26/2022

\_\_\_\_\_  
Secretary Date: \_\_\_\_\_

**Minnehaha Creek Watershed District**  
**Employee Sick and Vacation Time Donation Policy**

**The Employee Sick and Vacation Time Donation Policy** administers donations of accrued leave (vacation and/or sick time) from one employee to another when the recipient employee does not have a sufficient sick or vacation accrual balance to cover time away from work to care for their serious medical condition or that of a qualified dependent, and, such time away will result in a significant loss of income to the employee due to exhausting all available paid leave.

**Eligibility**

All regular full-time District employees who have completed six consecutive months of employment are eligible to receive transfers of vacation or sick time from other employees where absences from work will result in a significant loss of income due to exhausting all available paid leave, and are required due to the serious illness or injury of one of the following people:

- The employee
- The employee's minor dependents, spouse or domestic partner
- The employee's parents
- Members of the employee's household

Note: An employee is considered full-time if they work at least 30 hours per week per year.

If an employee is on leave and is being covered by the District's workers' compensation, or short or long-term disability plan, the employee is not eligible for the donation program. If/when eligibility in any of these benefits are exhausted, and the employee's own sick, vacation or compensatory time is also exhausted, the employee may then request and receive paid time under the donation policy.

Nothing in this policy will be construed to limit or extend the maximum allowable absence under the Family Medical Leave Act (FMLA).

All requests for donated time must be approved by the District Administrator in advance of the transfer of donated time. The employee will be notified of acceptance or denial of their request.

**How to Donate and Administration of the Policy**

Sick and/or vacation time donations are strictly voluntary. If you wish to donate,

- Provide in writing to Human Resources (email will suffice) that you wish to make a donation from your sick or vacation accrual balance.
- Indicate the number of hours you wish to donate.
  - Donations must be made in no less than one (1) hour increments.
- Maximum donation per employee per calendar year is 80 hours.
  - Donating employee may not go negative in their sick or vacation accrual balance.
- You may request that your donation go to a specific employee.
  - If you do not specify a specific employee as the recipient of your donated leave, or there are currently no approved requests for donated time, the time you donate will be deducted from your accrual balance and banked until such time as an employee becomes eligible. If your time is banked you will no longer be able to specify the recipient of your donated leave.

You may donate at any time. Your accrual balance will be adjusted with the pay cycle immediately following your request. Your donation is non-refundable. Whether the donation is sick time or vacation, the donation will be added to a recipient's sick time accrual balance.

### **Application for and Use of Donated Benefits**

An eligible employee must submit a request for donated time to Human Resources. The request must include the following information:

- The person whose serious medical condition is the basis of the request, i.e. employee or qualified family member as listed above
- A medical doctor's letter stating the subject person's illness, prognosis, and expected date of recovery
- How much time you are requesting
  - If you have been specified as the recipient of another employee's donation you will receive their entire donation unless you have already received the maximum allotted hours allowed to be received
    - Donations are made in no less than one hour increments with 1044 hours (six months) maximum eligible hours that can be received in total for each qualifying event
  - If you have requested more hours than available you will receive all available hours up to the maximum per qualifying event

An employee who returns to work on a part-time basis may continue to receive and use donated time. Once an employee returns to work full-time they are no longer eligible to receive donations. Once an employee returns to full-time work, any unused donated leave will be refunded back to the District's general bank of donated leave. A recipient of donated leave may not liquidate donated leave and receive a cash payout.

Abuse of the leave donation policy will not be tolerated.

Human Resources will retain a list of leave donations, which information shall be confidential.