

employees must use two (2) weeks of earned and unused vacation before receiving FTDI benefits. The first week of vacation shall count as the "waiting period" before the employee may begin receiving FTDI payments.

Section 18. CATASTROPHIC LEAVE PROGRAM

18.1. Policy

This policy is designed to assist ~~regular~~ employees who have exhausted all forms of paid leave due to a serious, catastrophic illness or injury. The Catastrophic Leave Program allows other City employees to voluntarily donate sick leave to an employee who meets the eligibility requirements so that the recipient will be able to remain on a paid status for a longer period of time, or until the employee is receiving short or long term disability, or is able to retire.

Donation and use of catastrophic leave is at the City Manager's discretion. Donation and use of catastrophic leave ~~and~~ requires the approval of the City Manager or their designee.

18.2. Eligibility for Personal Catastrophic Leave

18.2.1. The employee must meet the following requirements to be eligible for leave under this policy:

- (1) The employee must have been employed with the City ~~passed probation, be in a regular position with the City for at least eighteen (18) full months,~~ and be considered actively employed by the City.
- (2) The employee must have a verifiable serious or catastrophic illness or injury ~~which requires~~ which requires an extended period of treatment or recuperation. Serious or catastrophic illness or injury is one in which the employee is incapacitated and unable to work as certified by their physician for at least four (4) full workweeks. In addition, the employee must provide medical certification documenting the employee's serious or catastrophic illness or injury requiring an extended period of treatment or recuperation for at least (4) full workweeks. that includes a reasonable expectation that, with proper care and rehabilitation, the employee will be able to return to full duty within six (6) months of the absence from work.
- (3) The employee must have exhausted all paid leave balances.
- (4) The employee may not be concurrently receiving short or long-term disability or similar benefit, including State Disability Insurance.

18.3. Conditions for Donating Leave.

18.3.1. The following are the conditions for donating leave:

- (1) To be eligible to donate leave, an employee must have passed probatibeen employed for six months on and be in a regular position with the City for at least eighteen (18) full months.

- (2) All donations of leave are voluntary. No employee shall be required to donate leave.
- (3) ~~Vacation and sick leave are the~~ Accrued sick leave is the only types of leave allowed for donation and shall be donated on the basis of 1 hour received for each hour donated. If an employee wishes to donate ~~sick vacation or sick~~ leave, the employee must retain a minimum balance of eighty (80) sick leave hours after donating. If donating vacation leave, the employee must retain a balance of 40 hours after donating.
- ~~(4)~~ Employees must donate a minimum of four (4) hours and a maximum of ten (10) hours per pay period.
- ~~(5)~~(4) A donating employee may donate a maximum of ~~80-100~~ hours total to a recipient employee per catastrophic event. Recipient employees may receive a maximum of ~~160-520~~ donated hours (3 months/13 weeks) per catastrophic event.
- ~~(6)~~ Donated leave will be credited to the receiving employee's ~~sick-leave~~ balance on an hour-for-hour basis and shall be paid at the rate of pay of the receiving employee.
- ~~(7)~~(5) Once the leave is donated and posted to the receiving employee, the employee donating such leave shall irrevocably lose all rights and privileges to the donated leave hours.

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18.4. **Procedures For Donating and Receiving Leave**

18.4.1. For donating employees:

- (1) A donating employee shall complete the donation form and submit it to the Human Resources Office.
- (2) The Human Resources Office will review the request and forward to the City Manager for approval.
- (3) After approval by the City Manager, the Human Resources Office will submit the donation request to payroll for processing.
- (4) Donated leave will be used only as needed.
- (5) Donated leave will be credited to the receiving employee from the donating employee in chronological order by the date approved by the City Manager.

18.4.2. For receiving employees:

- (1) Once the receiving employee's own paid leave balances have been exhausted consistent with this policy, the employee may collect donated leave.

- (2) The receiving employee must be eligible for leave (meeting the requirements of Section 18.2.1 above) and willing to receive the donated leave.
- (3) The medical reasons for the need for the donated leave will only be disclosed to City employees if the employee agrees to such disclosure, either verbally or in writing.
- (4) The receiving employee will continue to be provided City-provided health and welfare benefits consistent with the City's Family and Medical Leave Policy.
- (5) All donated hours must be used on a continuous and uninterrupted basis until the earliest of the following occurs:
 - a. All donated leave balances are exhausted; or
 - b. The employee returns to work; or
 - c. The employee begins receiving long-term disability benefits; or
 - d. The employee's employment terminates.

18.3 MISCELLANEOUS

- (1) Catastrophic Leave donations are not taxed deductible for the donor and all payroll taxes are the obligation of the recipient
- (2) The recipient/donor must not have solicited nor accepted anything of value in exchange for the donation.
- (3) The Policy will be administered in a manner consistent with the Family Medical Leave Act/California Family Rights Act and applicable City leave policies and will not otherwise extend or alter an employee's rights under those policies.
- (4) All donations shall remain confidential.
- (5) Donations will be deducted from the donor's balances as they are credited to the recipient. When the employee returns to work on a regular basis or tenders notice of resignation or retirement, any hours remaining in the catastrophic leave account will be refunded to the donors on a first-in-first basis, meaning that the leave will be returned hour per hour to the last donation received.
- (6) Must have exhausted all earned leave balances (including sick, vacation, and compensatory time). However, the City Manager may approve the solicitation and acceptance of sick and/or vacation leave donations prior to all balances being exhausted when the physician's statement and existing leave balances indicate that all
- (7) such balances will be exhausted within the next two pay periods.

Section 19. LAYOFF AND RECALL POLICY

- 19.1. Whenever, in the sole judgment of the City Council, it becomes necessary to abolish any position due to a reorganization, lack of work or funds, or abandonment of activities, the employee holding said position may be laid off or demoted without

the right of appeal. Whenever possible, employees will be given at least thirty (30) days notice of any layoff or demotion.

19.2. Order of Layoff.

19.2.1. When a position has been abolished, any seasonal, emergency, probationary or temporary employee in that position classification shall be laid off first.

19.2.2. The order of layoff of full-time regular employees shall be determined based on seniority and the employee's overall performance as a City employee. Any full-time regular employee who holds a position which will be abolished shall first be considered for reassignment to an existing vacancy in a lower or equal class, provided the employee is qualified for the vacant position and such vacancy exists. If reassignment is not feasible, and the layoff involves a position classification held by more than one person, layoffs will be made based on the following criteria. Selection for retention shall be based equally upon performance as determined and supported in writing by each supervisory level involved and upon seniority of service. Therefore, this policy does not preclude the retention of employees who have less seniority in the position classification which is the subject of reduction in force action. Seniority will be determined by including all periods of full time regular service at or above the classification level where the layoff is to occur.
