

IUOE - Stationary Engineers, Local 39
and
County of Solano

2022 Contract Negotiations

Tentative Agreement

11. LEAVE CONTRIBUTION PROGRAM

The Leave Contribution Program assists employees who have exhausted accrued leave time due to a serious or catastrophic illness or injury or other circumstances. The Program allows other employees to donate time to the affected employee so that ~~he/she~~ the employee can remain in a paid status for a longer period of time, thus partially ameliorating the financial impact of the illness, injury, condition or circumstance.

11.1 Eligibility for Leave Contribution Program

To be eligible for this benefit, the receiving employee must:

- A. Be a ~~permanent-regular~~ full-time or ~~permanent-regular~~ part-time employee who has passed ~~his/her~~ their initial County probationary period,
- B. Have exhausted all accumulated leave including annual leave, sick leave (unless the leave involves the care of another and ~~the six day~~ eighty (80) hours of family sick leave have been used or involves other circumstances), administrative leave and/or compensatory time off,
- C. Be unable to return to work for at least 30 days, and
- D. Have applied and received approval for a Leave of Absence Without Pay (i.e., discretionary leave).

11.2 Benefits of the Leave Contribution Program

~~Accrued-Donated~~ vacation, compensatory time off, and/or Administrative Leave hours ~~donated by other employees~~ will be converted to sick leave and credited to the receiving employee's sick leave time balance on an hour-for-hour basis and shall be paid at the rate of pay of the receiving employee. ~~For as~~ As long as the receiving employee remains in a paid status, seniority, and all other benefits will continue, with the exception of sick leave and vacation accrual. The total leave credits received by an employee will not normally exceed three months. However, if approved by the Department Head and the Director of Human Resources, the total leave credits may be extended on a case by case basis.

If the leave is for reasons other than the employee's own illness or injury, the donated leave will be converted to vacation and credited to the employee's vacation accrual on an hour-for-hour basis.

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While an employee is using donated leave hours, no additional vacation or sick leave hours will accrue.

11.3 Guidelines for Donation of Leave Credits

A. Accrued vacation and compensatory time off, and/or Administrative Leave hours may be donated by any permanent full or permanent part-time employee who has completed his/hers/their initial County probationary period.

~~B. Time donated will be converted from vacation, CTO, or Administrative Leave hours to sick leave hours and credited to the receiving employee's sick leave balance on an hour-for-hour basis and shall be paid at the rate of the receiving employee. For employees who are using leave, for circumstances other than their own injury or illness, the donated hours will be converted to vacation.~~

C.B. The total amount of time donated to one employee by another employee shall not exceed forty (40) hours.

D.C. Initial leave time donations must be a minimum of eight (8) hours and thereafter, in four (4) hour increments. An employee cannot donate leave hours which would reduce his/hers/their vacation balance to less than forty (40) hours.

E.D. The use of donated leave hours will be in consecutive one (1) shift increments (i.e. eight (8) hours for a full time employee working five (5) eight (8) hour days/week).

~~F. While an employee is on leave using donated leave hours, no vacation or sick leave hours will accrue.~~

G.E. ~~Under all circumstances, time~~Leave donations ~~made by the employee~~ are forfeited once made. ~~In the event that~~ If the receiving employee does not use all ~~transferred/donated~~ leave ~~for the catastrophic illness/injury~~, any balance will remain with that employee ~~until that employee's separation from County service.~~

~~H. Payment for unused sick leave at the time of termination of employment, shall be in accordance with Section 10 (J) SICK LEAVE, of the Personnel and Salary Resolution.~~

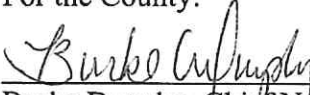
I.F. In accordance with Internal Revenue Service Ruling 90-29, leave ~~transferred~~ donated for medical reasons will not be considered wages for the employees who ~~surrenders/donates~~. ~~It the leave and will therefore~~ not be included in gross income or subject to withholding. An employee who donates leave incurs no deductible expense or loss either upon the donation or use by the recipient.

~~J. The tax impact of leave donation for other reasons is unknown at this time.~~

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The County and the Union initially reached tentative agreement on Monday, August 8, 2022, then agreed on Monday, August 29, 2022, to amend the tentative agreement as contained herein.

For the County:



Burke Dunphy, Chief Negotiator

For the Union:



Stan Eichenberger, Chief Negotiator

Initials: County  Union  Date: 8/29/22