

ORDINANCE NO. O-12-2015

**AN ORDINANCE AMENDING SECTION XII OF THE
“PERSONNEL POLICIES AND PROCEDURES MANUAL”
FOR THE CITY OF FORT THOMAS, KENTUCKY, BY THE
ADDITION OF VACATION, PARAGRAPH C. PERTAINING
TO DONATION OF VACATION TIME.**

WHEREAS, the City Council of the City of Fort Thomas has determined that it is beneficial and advantageous to allow employees to donate vacation time to other employees who have been diagnosed with a critical illness; and

WHEREAS, the City Council of the City of Fort Thomas has determined that certain policies shall be in place to regulate the donation of vacation time from one employee to another.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY OF FORT THOMAS,
CAMPBELL COUNTY, KENTUCKY:**

SECTION I

VACATION

C. Donating Vacation Time

Vacation time may be donated by one full-time Employee (“donor”) to another full-time Employee (“donee”) in strict compliance with the following:

1. The donee shall have been diagnosed with a “Critical Illness”, which is defined as a disease or state in which death is possible or imminent; and where such critical illness precludes donee from working without restriction. Donee shall provide to Employer confirmation of same from the attending physician with an estimated recovery time, if applicable.
2. Donations of vacation time shall be made only after the donee has exhausted all of his/her own paid leave including sick leave, personal leave and vacation leave. In the case of police officers, sick leave bank shall also have been exhausted prior to receiving donated vacation time.
3. A donor may donate the lesser of forty (40) hours of vacation time, or one-half of their remaining vacation time at the time of the donation, in any fiscal year. Notwithstanding, a firefighter who works a twenty-four (24) hour shift may donate the lesser of forty-eight (48) hours of vacation time, or half of his/her remaining vacation time at the time of the donation, in any fiscal year, to another firefighter who works a twenty-four (24) hour shift.
4. Donation of vacation time shall be in eight (8) hour increments.
5. Not all employees are paid the same hourly rate. Using the various rates of pay for the vacation time donated, the city, through its finance department, shall calculate the monetary value of all vacation time donated to the donee. The value of vacation time

donated shall be divided by the donee's hourly rate of pay to determine the number of hours of vacation time available to the donee. The city shall not incur additional cost or expense as a result of the donated vacation time.

6. Vacation time donated to a donee may be made retroactive to the point in time when the donee exhausted all other paid leave.
7. Donated vacation time shall be treated as the donee's own vacation time by the Employer for the purposes of "pay out" upon separation of employment.
8. Donated vacation time may be carried past June 30 of any year by the donee with the approval of the City Administrative Officer.
9. Donations of vacation time are irrevocable and nontransferable to another Employee.
10. While a donee is utilizing donated vacation time the donee shall be considered fully employed by the Employer with no loss of benefit or seniority.
11. Donations of vacation time shall be requested in writing by each Employee/donor separately to the City Administrative Officer.
12. Donations of vacation time shall be confidential and not disclosed to other employees, with the exception of the Chief Administrative Officer and Finance Director.
13. No one shall threaten, coerce, or intimidate an employee to donate vacation time.
14. Donations of vacation time shall be separate and distinct from the Family and Medical Leave Act.

SECTION II

All ordinances, resolutions or parts thereof, in conflict with the provisions of this ordinance, are to the extent of such conflict, hereby repealed.

SECTION III

This Ordinance shall be in effect when read, passed & published according to law.

APPROVED:

Eric Haas, Mayor

1st Reading: June 15, 2015

Adopted: July 20, 2015

Publication: July 30, 2015

ATTEST:

Melissa K. Kelly, City Clerk