

## AR 23-01

### ADMINISTRATIVE REGULATION REPLACING AND REPEALING AR 12-03 A VACATION DONATION POLICY, & COMMENCING A PAID-TIME OFF (PTO) DONATION POLICY

#### Section 1. Purpose

A Paid Time-Off (PTO) donation policy (Personnel Rules 2.56.845- Paid time off bank) has been established so employees may donate some of their accrued leave to an employee who would otherwise need to take unpaid leave due to a serious health condition or other absence as defined under the federal Family and Medical Leave Act. Donated time shall only bring an employee to full salary for regularly scheduled work hours. This policy meets the New Mexico State Statute requirement set forth in Chapter 10, Article 7, Section 22 that applies to a leave donation policy for public officers and employees.

#### Section 2. Eligibility for Receipt of PTO Donations

In order to receive a PTO donation, the recipient employee must satisfy the following eligibility requirements.

- A) Employee must be a regular employee as defined in Section 2.56.030 of the Personnel rules that is eligible for accrued PTO benefits.
- B) Employee cannot, at the time of PTO donation request, be receiving workers' compensation benefits.
- C) Employee who wishes to request donated leave shall first use all PTO and compensatory time that the employee has accrued prior to using donated leave.
- D) PTO donations received shall not exceed 160 hours for General employees and 212 hours for Fire shift employees in a 12- month period. The 12-month period is not based on the calendar year. The City will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy.
- E) Employee shall not have entitlement to PTO which is donated but not used (for specific event) by the employee.

#### Section 3. Procedures for Requesting PTO Donations

- A) A department head, upon the employee's written request, may request approval for receiving PTO donations by submitting a written request to the Human Resource Director, preferably within at least one full pay period prior to the time any donated PTO will be utilized.

- a. The request must include the name of the employee, the nature of absence and the date of onset.
  - b. The request must include the number of PTO hours requested and the period to be covered.
- B) A certified document by a health care provider that describes the nature, severity and anticipated duration of the emergency medical condition will be required.
- C) The Human Resources Director shall review the request prior to forwarding to the City Manager.
- D) Upon review, the City Manager may approve or reject the request.

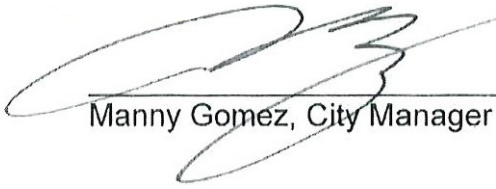
#### Section 4. Eligibility for Donating PTO

In order for an employee to donate accrued and available PTO, the donor employee shall meet the following:

- A) Each employee shall maintain a minimum PTO balance of 40 hours before making a PTO donation.
- B) Employees may donate up to 12.00 hours of accrued PTO per occurrence in 4-hour increments.
- C) Unused donated leave at the end of a medical emergency or when no longer needed shall revert to the donating employees based on the order of donations received.
- D) Donor employee will not receive any compensation, leave, or other benefit for making a PTO donation to a recipient employee.

#### Section 5. Procedure

- A. An authorization form shall be completed by the employee wishing to donate PTO to another employee.
- B. The original form shall be forwarded to the Human Resources Department for review and processing.
- C. The form shall be maintained by the Human Resource Department with a copy forwarded to the Finance Department.
- D. Donated leave shall be converted based on the value of the donor's PTO leave at the donor's hourly rate of pay to the recipient PTO leave at the recipient's hourly rate of pay.
- E. Donated leave shall not be paid out when an employee terminates, and all remaining donated leave shall revert back to the donor as described in Section 4.
- F. PTO donations will be deducted from the donor employee's PTO bank within the pay period it is received in the Human Resource Department, and it is the donor employee's responsibility to calculate and plan their remaining PTO accordingly.

  
Manny Gomez, City Manager

Date 11/24/2023

By signing below, I acknowledge that I have read AR 23-01. I was given an opportunity to ask questions to ensure my full understanding.

Printed Name \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_