

1. Agenda

WASHTENAW COUNTY  
BOARD OF COMMISSIONERS  
Ways and Means Committee  
Administration Building - Board Room  
220 N. Main Street  
Ann Arbor, Michigan  
[WASHTENAW COUNTY WEBSITE](#)

2. Roll Call

3. Citizen Participation

4. Commissioner Follow-Up To Citizen Participation

5. New Business

5.I. A. Support Services

1. Risk Management

a. Sick Time Donation Policy

- Adopting a policy that governs Sick Time Donations to or from County Employees
- To affirm Washtenaw County's commitment to abide by all provisions of FMLA, except where existing union contracts or Washtenaw County Policies & Procedures exceed those provided by the Act, in which case contracts/policies and procedures will be followed
- To clarify the intent of sick leave donations is to support employees eligible for continuous ongoing leave under FMLA with an option for paid time off in excess of their available paid leave banks
- To direct the County Administrator to establish Sick Time Donation Procedures in accordance with this policy and other applicable County policies
- Washtenaw County provides its employees with benefits inclusive of sick time to assist in covering time off for health/medical needs.
- Washtenaw County Human Resources is responsible for the oversight of employee leaves and adherence to the Family Medical Leave Act (FMLA).
- Current practice has informally allowed employees with large sick banks to donate a portion of their sick time to employees experiencing hardship due to unpaid leave.
- There is currently no county policy or procedure addressing Sick Time Donation and departments have expressed concern about the lack of formal procedures and the impact of current practice on departmental operations

RECOMMENDATION: Approval at Board

Documents:

[A 1 A BOC MEMO RESOLUTIONS FOR POLICY\\_2ND VERSION - FINAL.PDF](#)

6. Report Of The Administrator

7. Report Of The Chair Of Ways And Means

8. Report Of The Chair Of The Board

9. Items For Current/Future Discussion

10. Pending

11. Adjournment

**Next Ways & Means Meeting**

[April 3, 2019]

Board Room

220 N. Main Street

Ann Arbor, MI 48104

6:30 p.m.



COUNTY ADMINISTRATOR  
220 NORTH MAIN STREET, P.O. BOX 8645  
ANN ARBOR, MICHIGAN 48107-8645  
(734)222-6850  
FAX (734)222-6715

TO: Katie Scott, Chair  
Ways & Means Committee

THROUGH: Gregory Dill  
County Administrator

FROM: Judy Kramer  
Risk Manager/Labor Relations Director

DATE: March 20, 2019

SUBJECT: Sick Time Donation Policy

**BOARD ACTION REQUESTED:**

It is requested that the Board of Commissioners adopt a policy that governs Sick Time Donations to or from County Employees.

**BACKGROUND:**

Washtenaw County provides its employees with benefits inclusive of sick time to assist in covering time off for health or medical needs. Washtenaw County Human Resources is responsible for the oversight of employee leaves and adherence to the Family Medical Leave Act (FMLA). Washtenaw County's practice has been to begin counting FMLA leave after the employee goes into unpaid status after using all of their sick, vacation and compensatory time. This is more generous than what is required under FMLA. Allowing FMLA time to accrue later than required created an unintended consequence where some employees were approved for FMLA leave for time off in excess of their available paid leave banks. In some cases, the exhaustion of accrued paid leave banks has resulted in substantial loss of income to the employee.

**DISCUSSION:**

A committee was formed to review establishing a written Sick Time Donation Program. Potential use, practices and equity impact was also reviewed to address operational concerns raised by departments. A broad representation of the organization served on the committee representing Elected Officials, the Courts, Human Resources, Payroll, Labor, Union, Labor Relations/Risk Management and Corporation Counsel. Members included Evan Pratt, Water Resource Commissioner; Dan Dwyer, Trial Court Administrator; Michelle K. Billard, Corporation Counsel; Judy Kramer, Labor Relations; Beckey Ginbey, Public Health; Anna Lemler, Administration/Equity; Michelle Murray, Human Resources; Chyanne Duncan, Human Resources; Carol Boyce, Payroll; Kari Dorr, Prosecuting Attorney; Tammy Richards, Risk Management; Tara Cohen, Office of

Community and Economic Development; Tonya Harwood, AFSCME 3052/Environmental Health; Marie Matyjaszek, AFSCME 2733/Trial Courts.

The Committee is continuing to work on establishing a set of procedures to outline how donations would be requested, donated, and used. Sick time donations are intended for prolonged and unexpected emergencies that force an employee off on leave for an extended period of time that is likely to cause a financial hardship for an employee.

It is requested that the Washtenaw County Board of Commissioners adopt a Sick Time Donations Policy to govern sick time donations to and from County employees. The procedures to accompany the policy will be finalized and implemented after adoption of the policy.

The policy specifies that the County will abide by all provisions of the Family Medical Leave Act except where existing union contract provisions or County Policy and Procedures exceed those provided by the Act, in which the contracts, policies and procedures will be followed. The purpose of the policy is to provide employees who are legally eligible for a continuous ongoing leave under FMLA with an option to request donations for paid time off in excess of their available paid leave banks, through a voluntary donation process.

In summary, there is currently no policy or procedure for the donation of sick time to or from County employees. A policy is necessary in order for donations to be processed consistently and according to any applicable law. The procedures developed by the Committee will be finalized and implemented after adoption of the policy.

**IMPACT ON HUMAN RESOURCES:**

This policy will assist Human Resources to implement the Sick Time Donation procedures consistently across the organization and formally allow donations.

**IMPACT ON BUDGET:**

There is no direct impact on the budget. However, this policy will enable departments to manage prolonged and unexpected emergencies more efficiently.

**IMPACT ON INDIRECT COSTS:**

None.

**IMPACT ON OTHER COUNTY DEPARTMENTS OR OUTSIDE AGENCIES:**

This action will enable consistent policy application and allow employees, no matter of the union affiliation, the ability to donate and/or receive donations.

**CONFORMITY TO COUNTY POLICIES:**

This policy is in conformity with all County Policies and the Family Medical Leave Act.

**ATTACHMENTS /APPENDICES:**

- Resolution
- Sick Time Donation Policy

A RESOLUTION ADOPTING A SICK TIME DONATIONS POLICY

WASHTENAW COUNTY BOARD OF COMMISSIONERS

March 20, 2019

WHEREAS, Washtenaw County provides its employees with benefits inclusive of sick time to assist in covering time off; and

WHEREAS, Washtenaw County Human Resources is responsible for the oversight of employee leaves and adherence to the Family Medical Leave Act (FMLA); and

WHEREAS, establishing a mechanism to adhere to the FMLA timelines will address the operational needs and adherence to the Act; and

WHEREAS, by establishing a policy that will assist employees who are legally eligible and approved for a leave under FMLA for time off in excess of their available paid leave banks will assist employees in their time of need as well as departments operationally; and

WHEREAS, a committee was formed and is developing a set of proposed procedures to outline how donations will be requested, donated, and used; and

WHEREAS, the Washtenaw County Board of Commissioners, through adoption of a Sick Time Donations Policy is establishing the governance of donating or receiving of donated time to its employees; and

WHEREAS, the Policy will abide by all provisions of the Family Medical Leave Act except in cases where existing union contract provisions or County Policy and Procedures exceed those provided by the Act, in which cases the contracts, policies and procedures will be followed; and

WHEREAS, the purpose of the Policy is to provide employees who are legally eligible for a continuous ongoing leave under FMLA with an option for paid time off in excess of their available paid leave banks, through a voluntary donation process; and

WHEREAS, this matter has been reviewed by Corporation Counsel, the Finance Department, Human Resources, the County Administrator's Office and the Ways & Means Committee;

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby adopts the Sick Time Donations Policy attached hereto and made a part thereof.

BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners directs the County Administrator to establish the procedures in accordance with the County's policies.



## WASHTENAW COUNTY POLICY

<b>TITLE:</b> <b>Sick Time Donations</b>	RESOLUTION NUMBER <b>TBD</b>	SUPERCEDE:	EFFECTIVE DATE	PAGE OF
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I. APPLICATION:

This policy shall govern the provision of Sick Time Donations to or from County Employees.

II. GENERAL POLICIES:

- A. The County shall abide by all provisions of the Family Medical Leave Act (FMLA) except in the cases where existing union contract provisions or Washtenaw County Policies and Procedures exceed those provided by the Act, in which case the contracts/policies and procedures will be followed.
- B. It is the intent of the Board of Commissioners to provide employees who are legally eligible for a continuous ongoing leave under FMLA with an option for paid time off in excess of their available paid leave banks, through a voluntary donation process.
- C. The Sick Time Donation Procedure will outline the eligibility requirements to participate in this program.