

Klickitat County Port District No. 1
RESOLUTION NO. 2-2020

A Resolution of the Port of Klickitat Commission
Authorizing Shared Leave

WHEREAS, the Port Commission has authorized the accrual and use of sick leave as set forth in Section 7.3 of the Port's Personnel Policy in effect on of the date of this resolution; and

WHEREAS, an employee may be prevented from working as a result of a severe, extraordinary, or life-threatening illness or injury, ongoing behavioral health treatment, or high-risk pregnancy; and

WHEREAS, an employee may be prevented from working as a result of caring for a spouse, parent, or dependent child suffering from a severe, extraordinary, or life-threatening illness or injury; and

WHEREAS, an employee may be prevented from working as a result of a public health emergency declared by the Washington State Governor or the federal Department of Health and Human Services under which the employee is subject to travel and/or work restrictions, quarantine, or isolation; and

WHEREAS, an employee may be prevented from working as a result of caring for a dependent child subject to mandated school or daycare closures, quarantine, or isolation due to a public health emergency declared by the Washington State Governor or the federal Department of Health and Human Services; and

WHEREAS, the period of recovery from a severe, extraordinary, or life-threatening illness or injury or the period of a public health emergency declaration may be of such extended length as to exhaust the paid leave accrued by an employee and any leave available through other applicable programs administered by the state or federal government; and

WHEREAS, the Commission wishes to allow any employee with an accrued sick leave balance to voluntarily donate a portion of that sick leave to another employee who has exhausted his/her leave under one or more of the conditions described above;

NOW, THEREFORE, BE IT RESOLVED that the Port Commission does hereby authorize shared leave under which employees may voluntarily donate a portion of their accrued sick leave to another employee, effective retroactively to March 15, 2020, and subject to the provisions set forth below:

1. An employee may donate a portion of his/her accrued sick leave as shared leave provided:
 - a. The employee submits to the Executive Director a signed, written request describing the number of accrued sick leave hours to be donated as shared leave, the employee to receive the shared leave, and a statement the donation is made voluntarily.
 - b. The amount donated does not cause the accrued sick leave balance of the donating employee to fall below a minimum 480 hours.
 - c. The amount donated is in whole hours (fractional hours are not allowed).
 - d. All donated sick leave hours are converted to shared leave hours using the following formula where SLH is the shared leave hours to be credited to the receiving employee, DH is the number of donated sick leave hours, DW is the wage per hour of the donating employee, and RW is the wage per hour of the receiving employee:
$$SLH = (DH \times DW) / RW$$
 - e. The donation of accrued sick leave is at the sole discretion of the donating employee.
2. Shared leave may be used for the following eligible circumstances:
 - a. A severe, extraordinary, or life-threatening illness or injury requiring major surgery, hospitalization, or specialized therapies (e.g. cancer treatment) that prevents the employee from working;

- b. Enrollment in an ongoing behavioral health treatment program that requires continuous leave from work;
 - c. A high-risk pregnancy that prevents the employee from working or requires the employee to work reduced hours;
 - d. Caring for a spouse, parent, or dependent child suffering from a severe, extraordinary, or life-threatening illness or injury requiring major surgery, hospitalization, or specialized therapies (e.g. cancer treatment);
 - e. A public health emergency, declared by the Washington State Governor or the federal Department of Health and Human Services, under which an employee is prevented from working due to travel and/or work restrictions, quarantine, or isolation; and
 - f. An employee's need to care for a dependent child due to mandated school or daycare closures, quarantine, or isolation resulting from a public health emergency, declared by the Washington State Governor.
3. An employee, or the representative of an employee if s/he is incapacitated, may request the use of shared leave when all other paid leave available to the employee has been, or will imminently be, exhausted and for the purposes and under the conditions set forth in this resolution. Except when based on a public health emergency, such request shall be accompanied by a written medical verification of the illness, injury, or condition from a licensed physician. The granting of any request for the use of shared leave is at the sole discretion of the Executive Director.
4. Shared leave may no longer be used when:
- a. The employee has recovered from the severe, extraordinary, or life-threatening illness or injury, been discharged from a behavioral health treatment program, or is no longer pregnant;
 - b. The employee's spouse, parent, or dependent child has recovered from the severe, extraordinary, or life-threatening illness or injury or has passed away;
 - c. The public health emergency declaration has been rescinded; or
 - d. Any other conditions required for the use of shared leave no longer exist.
5. Any donation or use of shared leave is subject to the following requirements:
- a. Shared leave hours must be paid at the regular rate of pay for the employee receiving them;
 - b. Employees must not communicate with any other employee for the purpose of persuading, encouraging, or otherwise coercing the donation of accrued sick leave;
 - c. Other paid leave accrued while using shared leave must be used before additional shared leave may be used;
 - d. Unused shared leave is not eligible for cash-out by the receiving employee and will be returned to the donating employee at the conclusion of the qualifying event using the following formula based on the same wages per hour in effect at the time of donation:

$$DH = (SLH \times RW) / DW$$
 - e. Shared leave may not be used for any injury subject to worker's compensation.

ADOPTED IN OPEN SESSION this 24th day of March, 2020.

ATTEST:



 Bonita Snyder, Administrative Assistant

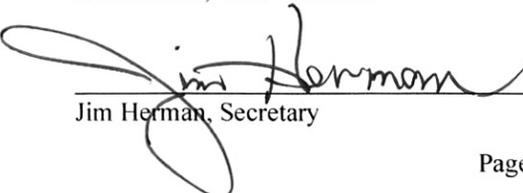
PORT OF KLICKITAT COMMISSION



 Wayne Vinyard, President



 Bill Schmitt, Vice-President



 Jim Herman, Secretary

PORT SEAL