

RESOLUTION NO. 2019-39

**A RESOLUTION OF THE MASON TRANSIT AUTHORITY BOARD
ADOPTING AN UPDATED SHARED LEAVE POLICY (POL-200).**

WHEREAS, Mason Transit Authority wishes to update its Shared Leave Policy to have it in conformity with Washington State Paid Family and Medical Leave (PFML) law pursuant to Chapter 50A RCW and other supporting regulations related thereto and further to bring it into alignment with MTA's Paid Family & Medical Leave Policy (POL-311).

NOW THEREFORE, BE IT RESOLVED BY THE MASON TRANSIT AUTHORITY BOARD that the updated Shared Leave Policy (POL-200), which is attached hereto and incorporated herein, be established and adopted; and

BE IT FURTHER RESOLVED that this Shared Leave Policy (POL-200) shall supersede and replace in full any previously adopted or approved Shared Leave Policy (POL-200), including rescinding Resolution No. 2018-26.

Adopted this 17th day of December, 2019.



Randy Neatherlin, Chair



Wes Martin, Vice-Chair



John Campbell, Authority Member



Kevin Dorcy, Authority Member



Deborah Petersen, Authority Member



Don Pogreba, Authority Member



Kevin Shutty, Authority Member

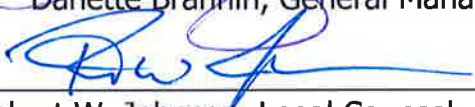



Sandy Tarzwell, Authority Member



Sharon Trask, Authority Member

APPROVED AS TO CONTENT: 
Danette Brannin, General Manager

APPROVED AS TO FORM: 
Robert W. Johnson, Legal Counsel

ATTEST:  DATE: December 17, 2019
Tracy Becht, Clerk of the Board



Title:	Shared Leave
Number:	200
Effective:	January 1, 2020
Cancel:	December 18, 2018
Prepared by:	LeeAnn McNulty, Administrative Services Manager
Approved by:	Authority Board Resolution No. 2019-39

POL-200 SHARED LEAVE

This policy applies to all Mason Transit Authority (MTA) employees who have completed probation.

1.0 Policy

This policy permits employees to share their accrued vacation or sick leave with an eligible employee whose leave balances may be depleted by reason of extraordinary, catastrophic severe illness or injury involving the employee or their immediate family.

2.0 Employees Must Meet Criteria Set Forth to Qualify for Shared Leave

MTA has established that employees must meet specific criteria to receive shared leave. Eligibility will be determined by the Human Resources Manager based on these criteria:

- Total accrued leave balances must be exhausted, or will be exhausted, according to MTA's policies for the use of leave.
- Must submit documentation from a primary healthcare provider verifying the employee suffers from, or has an immediate family member suffering from, an extraordinary, catastrophic severe illness, injury or impairment, or physical or mental condition.
- Job is one in which vacation and sick leave can be accrued and used.
- Ineligible for Worker's Compensation, unemployment, state retirement, or long-term disability insurance.
- The condition has caused or is likely to cause the employee to go on leave without pay.
- The employee has not received more than a total of 600 hours of shared leave throughout the term of their employment.

3.0 Employees Must Request Shared Leave through the Administrative Services Manager

All shared leave requests will be coordinated through the Administrative Services Manager. The request shall include:

- Verbal or written statement requesting shared leave.
- Supporting evidence of need for shared leave, including appropriate medical documentation and/or justification.
- Length of time the employee can reasonably be expected to be absent due to condition.
- Amount of shared leave hours requested.
- Confirmation from requesting employee if the request be anonymous.

See Also: Employee Handbook, PRO-200, FRM-200A, FRM-200B



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4.0 Employee Shall Not Receive More Than the Amount Necessary to Cover Time Off

Employee requesting shared leave shall not receive more than the amount necessary to cover the time off from work for the condition for which leave is requested.

5.0 Personal Situation Kept Confidential

Personal situation and reason for needing shared leave will be kept confidential by Administrative Services and management without specific authorization from the employee receiving the donated leave.

6.0 Donations will be Kept Confidential

The names of those donating vacation or sick leave to an individual is confidential and will not be released to the employee receiving donations.

7.0 Leave Balances Must Stay Above 40 Hours of MTASL Sick Leave and 40 hours of Vacation Leave

Employees wishing to donate Vacation or MTASL Sick Leave must have actual hours accrued and are required to reserve a minimum of 40 hours of vacation and 40 hours of MTASL Sick Leave for their own needs. Sick leave hours earned through POL-309 Washington Paid Sick Leave policy are not eligible for shared leave donation.

8.0 Terminating Employees

Employees who have given notice to separate may not donate or receive donated vacation or sick leave.

9.0 All Donations Shall be Voluntary

No coercion, threats, intimidation or financially induced efforts will be tolerated. Such behavior will be subject to disciplinary action up to and including termination.

10.0 Donation Acknowledged in Writing

All donations will be screened to ensure compliance with #7, then accepted by Administrative Services and acknowledged in writing.

11.0 Return of Shared Leave to Donor

Unused shared leave may not be returned until the employee is released to work and has obtained a statement indicating the employee's condition has been resolved. To the extent administratively feasible, the unused leave which was transferred by more than one employee shall be returned on a pro rata basis (see RCW 41.04.665).

See Also: Employee Handbook, PRO-200, FRM-200A, FRM-200B



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12.0 Leave will be Donated Hour for Hour

No consideration is given to the dollar value of the leave donated. All donations are on an hour-for-hour basis and in one-hour increments. An employee receiving and using shared leave hours from another employee is paid for such hours based on the receiving employee's work schedule and at the receiving employee's rate of pay.

13.0 Employee Maintains Status

While on shared leave, the requesting employee maintains their regular status and benefits with MTA until exhaustion of FMLA.

14.0 FMLA Will Run Concurrent

Shared leave will run concurrent with FMLA leave as required by MTA policy and law.

15.0 Shared Leave and Paid Family Medical Leave (PFML)

Per Washington State RCW 50A.04.235, PFML is not available to employees in collective bargaining agreements (CBA) dated prior to October 19, 2017 until they expire. MTA employees who remain in a CBA dated prior to October 19, 2017, will be entitled to Shared Leave until the contract expires.

Shared leave is no longer available to non-represented employees and those in the Maintenance bargaining group effective January 1, 2020 when the PFML benefit becomes available.

This Shared Leave policy will be rescinded entirely effective September 1, 2020, at the time that any remaining excluded represented employees become eligible for PFML.