

AN ORDINANCE BY THE VILLAGE OF WILLIAMSBURG

ORDINANCE: 1210-22

AN ORDINANCE BY THE VILLAGE OF WILLIAMSBURG AUTHORIZING TO AMEND ORDINANCE 992-09 ALLOWING EMPLOYEES TO DONATE UNUSED AND ACCRUED TIME TO OTHER VILLAGE EMPLOYEES AND DECLARING AN EMERGENCY.

The Village of Williamsburg allows employees to donate unused and accrued time to other Village employees, under the following rules:

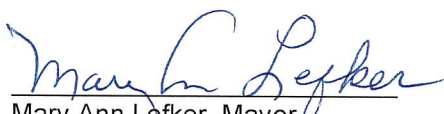
- (A) Employees eligible to receive donated paid leave. An employee is eligible to receive donated paid leave if the employee:
- (1) Is currently employed by the Village of Williamsburg,
 - (2) Has been employed, without interruption, for the preceding 36 months,
 - (3) Is eligible to accrue and use sick leave when in active pay status, and
 - (4) Has no available accrued leave;
 - (5) Has a need for the paid leave due to the serious illness or injury of the employee or a member of the employee's immediate family; and
 - (6) Has applied for and not yet been approved for any state-paid leave, workers' compensation, or benefits program which is available to the employee. If the employee is not eligible for any such program, then this requirement is not applicable and does not impact the employee's eligibility to receive donated paid leave. An employee who has applied for these programs may use donated paid leave to satisfy the waiting period for any such benefits, if applicable. After the waiting period, donated paid leave may be used up to an amount equal to the benefit for which the employee has applied (e.g., sixty-seven per cent for disability benefits) while the employee's application is pending approval. If the employee's application for any state-paid leave is approved, the employee shall not use donated leave to supplement the approved state-paid leave.
- (B) Employees eligible to donate paid leave. An employee is eligible to donate paid leave if the donating employee:
- (1) Is currently employed by the Village of Williamsburg
 - (2) Voluntarily elects to donate paid leave and does so with the understanding that the donated paid leave will not be returned, or reimbursed;
 - (3) Donates a minimum of eight hours of paid leave;
 - (4) Retains a combined leave balance of at least 40 hours after the donated paid leave is deducted from the donating employee's leave balances; and

(6) Certifies, in writing, the following:

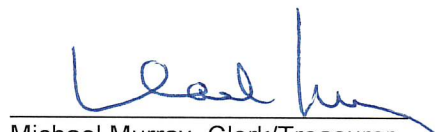
- (a) The name of the eligible employee for whom the donated paid leave is intended;
- (b) The pay period(s) to which the offer to donate leave is applicable;
- (c) The type of paid leave and the number of hours to be donated, with the minimum number of such hours being eight;
- (d) That the donating employee will retain a minimum combined leave balance of at least eighty hours after the donated paid leave hours have been deducted from the donating employee's balances; and
- (e) That the leave is being donated by the employee voluntarily and that the employee understands that the donated paid leave will not be returned.

(C) General principles.

- (1) Donated paid leave shall be administered on a pay period by pay period basis. Appointing authorities shall only deduct the maximum amount specified by the donating employee from the donating employee's leave balance, but under no circumstance shall an appointing authority deduct more from the donating employee's leave balance than the amount of leave that is necessary to bring the receiving employee up to the maximum number of hours the receiving employee is scheduled to work in the pay period. Banking of donated leave is not allowed. Leave accrued by an employee while using donated paid leave shall be used, if necessary, as soon as it is available before additional donated paid leave may be received and used by the employee.
- (2) If an appointing authority receives more than one offer to donate leave to a qualifying employee for any pay period, the appointing authority shall process the offers in the order they are received.
- (3) An eligible employee may receive no more than (80) eighty hours of donated leave from all sources combined in any calendar year period.
- (4) Appointing authorities shall ensure that no employees are forced or coerced into donating paid leave. Leave donations are to be entirely voluntary on the part of the donating employee.
- (5) Appointing authorities shall respect an employee's right to privacy. However, appointing authorities may, with the permission of the employee who is in need of donated paid leave, inform its employees of an employee's critical need for leave. Appointing authorities shall not directly solicit donated paid leave from its employees.
- (6) Employees using donated paid leave are in active pay status and shall accrue leave and be entitled to any benefits to which they would otherwise be entitled. Donated paid leave shall never be converted to a cash benefit.


Mary Ann Lefker, Mayor

January 12, 2023
Date Approved


Michael Murray, Clerk/Treasurer