

COUNTY OF SANTA CRUZ POLICY
RELATING TO A VOLUNTARY TIME BANK FOR CATASTROPHIC ILLNESS
OR INJURY TO A COUNTY EMPLOYEE OR IMMEDIATE FAMILY MEMBER, NATURAL
DISASTER, OR DEATH OF A FAMILY MEMBER

I. VOLUNTARY TIME BANK FOR CATASTROPHIC ILLNESS OR INJURY

Any department considering establishing a Time Bank for its eligible employees shall follow the guidelines below:

A. Definition of Eligible Employees.

Only employees in budgeted ("Permanent") positions are eligible to participate in the Santa Cruz County Voluntary Time Bank Program. The employee does not need to obtain permanent status, but must occupy a permanent position. This program is not available to Extra Help Employees.

B. Definition of Catastrophic Illness or Injury as defined by the Internal Revenue Service Ruling 90-29:

1. An employee must be incapacitated for an extended period of time by a catastrophic illness or injury; which
2. Creates a financial hardship, because
3. An employee has exhausted all of their accrued leave.

Financial hardship is further defined as being on a leave of absence without pay for a two week period. Catastrophic illness or injury is further defined as a debilitating illness or injury of an immediate family member that results in the employee being required to take time off from work for an extended period to care for the family member, when this creates a financial hardship because the employee has exhausted all of his/her accumulated leave. Immediate family shall mean son or daughter including variation of step or foster, spouse, domestic partner, parents, grandparents, brother or sister of the employee or any person living in the immediate household of the employee.

C. Conditions and Procedures Under which a Time Bank for Catastrophic Illness/Injury May be Established.

1. Only the Department Head may request establishment of a Time Bank for an employee within the department who is suffering a financial hardship due to a catastrophic illness or injury.
2. When the Department Head has determined that an employee would benefit from the establishment of a Time Bank he/she will contact the employee to determine if the employee desires to participate in a Time Bank program. If the employee desires to participate in the Time Bank program the Department Head will contact the Personnel Department and recommend the establishment of the program.
3. The Time Bank will be established on behalf of an individual employee. The bank will accept transfers of leave from one or more donors.
4. Section I of the County of Santa Cruz Voluntary Time Bank for Catastrophic Illness or injury is a *bona fide* leave sharing arrangement for a "medical emergency" as defined in IRS Ruling 90-29. Pursuant to IRS Ruling 90-29 leave transferred under such arrangements will not be

considered wages for the employee who surrenders the leave and will therefore not be included in gross income or subject withholding.

5. The Time Bank will be operated by the Personnel Department. The Department Head will take actions to help ensure that individual employee decisions to transfer or not transfer to a Time Bank are kept confidential and that employees are not pressured to participate.
6. Upon establishment of a Time Bank, the Personnel Department should ensure that only credits that are necessary are transferred. All transfers are irrevocable.
7. The County reserves the right to modify or terminate an established Time Bank program as it deems necessary.

D. Conditions Under Which Leave Credits May be transferred to a Time Bank.

1. Any employee may transfer annual leave, vacation or administrative leave. Sick leave and compensatory time may not be transferred.
2. Transfers of annual leave, vacation or administrative leave must be in increments of 4 hours or more.
3. The transfer of leave hours is irrevocable. Should the recipient of the transfer not use all transferred leave for the catastrophic illness/injury, any balance will remain with that person or will be converted to cash upon recipient's separation.
4. An employee may not transfer leave hours which would reduce their total accrued leave balance (of annual leave, vacation, compensatory time, sick leave, administrative leave) to less than 168 hours.
5. Transferred leave shall be changed to its cash value and then credited to the recipient in equivalent hours (at the recipient's base hourly rate) of annual leave, vacation.
6. Employees will use form PER1095 (Donation of Accrued Paid Leave to Employee Catastrophic Illness/Injury Time Bank) to submit transfers directly to the Personnel Department. After review the form will be forwarded to the Auditor's Office for payroll action and adjustment to donor and recipient's paid leave balance.

E. Conditions Under Which Leave Credits in a Time Bank May be Used.

1. Only the employee for which the Time Bank has been established may receive leave credits from the Time Bank. Such leave credits shall be added to the employee's Time Bank leave balance.
2. While using time transferred under this program, the affected employee will provide verification their (or immediate family member's) illness or injury on a PER 1081A (Physician's Certification) or PER1081B (Physician's Certification for Family Care Leave), or a Worker's Compensation Work Status Report.
3. The use of leave credits will be in consecutive one shift increments (e.g., 8 hours for a full-time employee working five eight hour days a week).
4. The use of transferred credits may be for a maximum of twelve (12) continuous months for any one catastrophic illness.

F. Departmental Responsibilities for Establishment of a Time Bank

A Department Head who decides that the department will participate in a Time Bank program will arrange with the Personnel Department for the establishment of the Time Bank for the individual. The department must:

1. Receive written approval from the employee to announce the need for a Time Bank transfer.
2. Notify the Personnel Department of the need for the Time Bank and coordinate the Time Bank's establishment.
3. Require that employee transfers be made directly to the Personnel Department (this is necessary to ensure that employee's decision to transfer or not transfer is kept confidential).
4. Immediately investigate any allegations of pressure or coercion in the solicitation of transfers for the Time Bank, and take appropriate action.

G. Personnel Department Responsibilities:

1. Control the Time Bank program.
2. Receive from the employee benefiting from the Time Bank proof of eligibility (PER 1081A, PER1081B, or Worker's Compensation Work Status Report), and the Employee Application and Provider Certification, which includes a signed agreement allowing publication of the employee's situation.
3. The employee benefiting from the Time Bank and the Personnel Department will agree on the content of the publicity.
4. Publicize the establishment of the Time Bank program. The notice will inform all employees of:
 - a. The establishment of the Voluntary Time Bank.
 - b. Their opportunity to transfer.
 - c. How transfers are submitted.
 - d. That the Time Bank can be terminated or modified at any time.
5. Coordinate with the County Administrative Office and the Auditor Controller's Office to ensure that funds are properly transferred.
6. Notify the Department Head immediately if the Time Bank cannot be established and the reason(s).
7. Notify the Auditor-Controller of the establishment of the Time Bank.
8. Review all transfers for compliance with this policy. Forward to the Auditor-Controller's Office for payroll adjustment those transfers that comply. Inform those individuals who made transfers that do not comply with this policy that their transfers cannot be accepted.

9. Immediately investigate any allegations of pressure or coercion in the solicitation of transfers for the Time Bank and take appropriate action.

II. VOLUNTARY TIME BANK FOR A CONTINUING CATASTROPHIC ILLNESS OR INJURY

Any department considering establishing a Time Bank for its eligible employees shall follow the guidelines below:

A. Definition of Eligible Employees.

Only employees in budgeted ("Permanent") positions are eligible to participate in the Santa Cruz County Voluntary Time Bank Program. The employee does not need to obtain permanent status, but must occupy a permanent position. This program is not available to Extra Help Employees.

After qualifying for the Time Bank while away from work, an employee may be eligible to continue participation in the Time Bank program if they return to work on a part time or periodic basis provided that:

1. The employee continues to suffer from or require on going treatment or convalescence from a catastrophic illness or injury as documented by their physician.
2. The employee continues to suffer a financial hardship (see below), and
3. The employee exhausts all current and ongoing accrued leave before using Time Bank donations.

Financial hardship for an employee who has returned to work part-time or on a periodic basis is defined as being in a leave of absence without pay status for 3 days during a two week period.

B. Definition of a Continuing Catastrophic Illness or Injury.

A Continuing Catastrophic Illness or Injury is defined as an illness or injury which is debilitating or life threatening and expected to incapacitate the employee on a periodic basis. This type of Time Bank is extended to an employee who is catastrophically ill or has a catastrophic injury and who is able to continue working but may need periodic time off to

1. attend physician office visits relating to the care and treatment of the catastrophic illness/injury or
2. for time off which directly relates to the catastrophic illness or injury in the form of sick time, or
3. to maintain a modified work schedule for a period of time because the catastrophic illness or injury limits their regular work schedule.

C. Conditions and Procedures Under which a Time Bank for a Continuing Catastrophic Illness/Injury May be Established.

1. Only the Department Head may request establishment of a Time Bank for an employee within the department who is suffering from a Catastrophic Illness/Injury which may require ongoing care.

2. When the Department Head has determined that an employee would benefit from the establishment of a Time Bank he/she will contact the employee to determine if the employee desires to participate in a Time Bank program. If the employee desires to participate in the Time Bank program, the Department Head will contact the Personnel Department and recommend the establishment of the program.
3. The Time Bank will be established on behalf of an individual employee. The bank will accept transfers of leave from one or more donors.
4. State and Federal Income Tax on the value of leave transferred is deducted from the contributing employee's pay at the time of the transfer. This leave is considered taxable to the donee and donor.
5. The Time Bank will be operated by the Personnel Department. The Department Head will take actions to help ensure that individual employee decisions to transfer or not transfer to a Time Bank are kept confidential and that employees are not pressured to participate.
6. Upon establishment of a Time Bank, the Personnel Department should ensure that only credits that are necessary are transferred. All transfers are irrevocable.
7. The County reserves the right to modify or terminate an established Time Bank program as it deems necessary.

D. Conditions Under Which Leave Credits May be transferred to a Time Bank.

1. Any employee may transfer annual leave, vacation or administrative leave. Sick leave and compensatory time may not be transferred.
2. Transfers of annual leave, vacation or administrative leave must be in increments of 4 hours or more.
3. The transfer of leave hours is irrevocable. Should the recipient of the transfer not use all transferred leave for the catastrophic illness/injury, any balance will remain with recipient or will be converted to cash upon recipient's separation.
4. An employee may not transfer leave hours which would reduce their total accrued leave balance (of annual leave, vacation, compensatory time, sick leave, administrative leave) to less than 168 hours.
5. Transferred leave shall be changed to its cash value and then credited to the recipient in equivalent hours (at the recipient's base hourly rate) and placed in the recipient's Time Bank balance.
6. Employees will use form PER1095 (Donation of Accrued Paid Leave or Employee Catastrophic Illness/Injury Time Bank) to submit transfers directly to the Personnel Department. After reviewing the form, it will be forwarded to the Auditor's Office for payroll action and adjustment to donor and recipient's paid leave balances.

E. Conditions Under Which Leave Credits in a Time Bank May be Used.

1. An employee must exhaust all possible leave balances before Time Bank donations can be used. This includes any leave accrued while the employee is still working.

2. Only the employee for which the Time Bank has been established may receive leave credits from the Time Bank. Such leave credits shall be added to the employee's Time Bank balance.
3. If the Time Bank request is for donated time for attending periodic physician office visits, the affected employee will provide verification of their continuing illness or injury on a PER1081A form. The PER 1081A must clearly state the date/time/length of each appointment and verify that the appointment is due to the continuing catastrophic health condition.

If the Time Bank request is for time off due to a sick day, the employee must have the attending physician complete a PER 1081A form verifying that the sick day was due to the continuing catastrophic health condition. This form must be submitted to the Personnel Department within 3 days from the date the employee returns to work due to a sick day off because of the catastrophic health condition.

If the requested Time Bank is for a modified work schedule, the affected employee will provide verification of their continuing illness or injury on a PER 1081A form and include the recommended schedule. This form must be submitted 30 days in advance of the modified work schedule.

Personnel will review and verify for compliance with this policy.

4. The use of transferred credits may be for a maximum of twenty-four (24) continuous months for any one catastrophic illness.

F. Steps to be Taken by the Department to Establish a Time Bank Program.

A Department Head who decides that the department will participate in a Time Bank program will arrange with Personnel Department for the establishment of the Time Bank for the individual. The department must:

1. Receive written approval from the employee to announce the need for a Time Bank transfer.
2. Notify the Personnel Department of the need for the Time Bank and coordinate the Time Bank's establishment.
3. Require that employee transfers be made directly to the Personnel Department (this is necessary to ensure that employee's decision to transfer or not transfer is kept confidential).
4. Immediately investigate any allegations of pressure or coercion in the solicitation of transfers for the Time Bank, and take appropriate action.

G. Personnel Department Responsibilities:

1. Control the Time Bank program.
2. Receive from the employee benefiting from the Time Bank proof of eligibility (PER 1081), and the Employee Application and Provider Certification, which includes a signed agreement allowing publication of the employee's situation.
3. The employee benefiting from the Time Bank and the Personnel Department will agree on the content of the publicity.

4. Publicize the establishment of the Time Bank program. The notice will inform all employees of:
 - a. The establishment of the voluntary Time Bank.
 - b. Their opportunity to transfer.
 - c. How transfers are submitted.
 - d. That the program can be terminated or modified at any time.
5. Coordinate with the County Administrative Office and the Auditor Controller's Office to ensure that funds are properly transferred.
6. Notify the Department Head immediately if the program cannot be established and the reason(s).
7. Notify the Auditor-Controller of the establishment of the program.
8. Review all transfers for compliance with this policy. Forward to the Auditor-Controller's Office for payroll adjustment those transfers that comply. Inform those individuals who made transfers that do not comply with this policy that their transfers cannot be accepted.
9. Immediately investigate any allegations of pressure or coercion in the solicitation of transfers for the Time Bank and take appropriate action.

III. VOLUNTARY TIME BANK FOR NATURAL DISASTERS

Upon declaration of a Natural Disaster by the County Administrative Officer this Section III of the County of Santa Cruz Policy relating to a Voluntary Time Bank for Catastrophic Illness or Injury to a County Employee or Immediate Family Member is in effect for a period of thirty calendar days from the date of the declaration of said disaster unless further extended by action of the Board of Supervisors.

Any department considering establishing a Time Bank for its eligible employees shall follow the guidelines below:

A. Definition of Eligible Employees.

Only employees in budgeted ("Permanent") positions are eligible to participate in the Santa Cruz County Voluntary Time Bank Program. The employee does not need to obtain permanent status, but must occupy a permanent position. This program is not available to Extra Help Employees.

B. Definition of a Natural Disaster.

Natural Disaster is a catastrophic act of nature such as earthquake, fire, flood or equivalent event which has caused an employee to be unable to work for an extended period of time because:

1. The employee's residence is uninhabitable and the employee needs time to relocate;
2. The employee needs time off to make major repairs to her/his place of residence to make it

- habitable; and which
3. creates a financial hardship because the employee has exhausted all of their accumulated leave.

C. Conditions and Procedures Under which a Time Bank May be Established.

1. Only the Department Head may request establishment of a Time Bank for an employee within the department who is suffering a financial hardship due to the conditions in paragraphs III.B 1 thru 3, above.
2. When the Department Head has determined that an employee would benefit from the establishment of a Time Bank, they will contact the employee to determine if the employee desires to participate in the Time Bank program. If the employee desires to participate in the Time Bank program the Department Head will contact the Personnel Department and recommend the establishment of the Time Bank.
3. The Time Bank will be established on behalf of an individual employee. The Time Bank will accept transfers of leave from one or more donors.
4. State and Federal Income Tax on the value of leave transferred is deducted from the contributing employee's pay at the time of transfer.
5. The Time Bank will be operated by the Personnel Department. The Department Head will take actions to help ensure that individual employee decisions to transfer or not transfer to a Time Bank are kept confidential and that employees are not pressured to participate.
6. Upon establishment of a Time Bank, the Personnel Department should ensure that only credits that are necessary are transferred. All transfers are irrevocable.
7. The County reserves the right to modify or terminate an established Time Bank as it deems necessary.

D. Conditions Under Which Leave Credits May be transferred to a Time Bank.

1. Any employee may transfer annual leave, vacation or administrative leave. Sick leave may not be transferred; accrued compensatory time may not be transferred.
2. Transfers of annual leave, vacation or administrative leave must be in increments of 4 hours or more.
3. The transfer of leave hours is irrevocable. Should the recipient of the transfer not use all transferred leave any balance will remain with recipient or will be converted to cash upon recipient's separation.
4. An employee may not transfer leave hours which would reduce their total accrued leave balance (of annual leave, vacation, compensatory time, sick leave, administrative leave) to less than 168 hours.
5. Transferred leave shall be changed to its cash value and then credited to the recipient in equivalent hours (at the recipient's base hourly rate) and placed in the recipient's Time Bank balance.

6. Employees will use form PER1095 (Donation of Accrued Paid Leave to Employee Catastrophic Illness/Injury Time Bank) to submit transfers directly to the Personnel Department. After review the form will be forwarded to the Auditor's Office for pay roll action and adjustment to donor and recipient's paid leave balance.

E. Conditions Under Which Leave Credits in a Time Bank May be Used.

1. Only the employee for whom the Time Bank has been established may receive leave credits from the Time Bank. Such leave credits shall be added to the employee's Time Bank balance.
2. The affected employee will provide verification of:
 - (a) the un-inhabitability of his/her residence by a red or yellow tag or other documentation from a jurisdiction of competent authority
 - (b) the necessity of repairs to her/his residence by insurance claims, FEMA Claim or the equivalent in order to qualify for this program.
3. The use of leave credits will be in consecutive one-shift increments (e.g., 8 hours for a full-time employee working five eight hour days a week).
4. The use of transferred credits may be for a maximum of thirty (30) continuous days for any one natural disaster.

F. Departmental Responsibilities for Establishment of a Time Bank:

A Department Head who decides that the department will participate in a Time Bank program will arrange with the Personnel Department for the establishment of the Time Bank for the individual. The department must:

1. Receive written approval from the employee to announce the need for a Time Bank transfer.
2. Notify the Personnel Department of the need for the Time Bank and coordinate the Time Bank's establishment.
3. Require that employee transfers be made directly to the Personnel Department (this is necessary to ensure that an employee's decision to transfer or not transfer is kept confidential).
4. Immediately investigate any allegations of pressure or coercion in the solicitation of transfers for the Time Bank, and take appropriate action.

G. Personnel Department Responsibilities:

1. Control the Time Bank program.
2. Receive from the employee benefiting from the Time Bank proof of eligibility and a signed agreement allowing publication of the employee's situation.
3. The employee benefiting from the Time Bank and the Personnel Department will agree on the content of the publicity.
4. Publicize the establishment of the Time Bank. The notice will inform all employees of:

- a. The establishment of the voluntary Time Bank.
 - b. Their opportunity to transfer.
 - c. How transfers are submitted.
 - d. That the Time Bank can be terminated or modified at any time.
5. Coordinate with the County Administrative Office and the Auditor Controller's Office to ensure that funds are properly transferred.
 6. Notify the Department Head immediately if the Time Bank cannot be established and the reason(s).
 7. Notify the Auditor-Controller of the establishment of the Time Bank.
 8. Review all transfers for compliance with this policy. Forward to the Auditor-Controller's Office for payroll adjustment those transfers that comply. Inform those individuals who made transfers that do not comply with this policy that their transfers cannot be accepted.
 9. Immediately investigate any allegations of pressure or coercion in the solicitation of transfers for the Time Bank and take appropriate action.

IV. VOLUNTARY TIME BANK FOR AN EMPLOYEE WHO MUST SETTLE FAMILY AFFAIRS RESULTING FROM THE DEATH OF AN IMMEDIATE FAMILY MEMBER

Any department considering establishing a Time Bank for its eligible employees shall follow the guidelines below:

A. Definition of Eligible Employees.

Only employees in budgeted ("Permanent") positions are eligible to participate in the Santa Cruz County Voluntary Time Bank Program. The employee does not need to obtain permanent status, but must occupy a permanent position. This program is not available to Extra Help Employees.

B. Definition of a Qualifying Event.

In the event of the death of an immediate family member which will require the employee to be absent for one full pay period or more in order settle family affairs. A voluntary Time Bank program may be established provided the employee will have exhausted or will exhaust all accrued time off prior to or during the absence, which will result in a financial hardship on the employee. An immediate family member is defined as the spouse, domestic partner, son, daughter, step-son, step-daughter, foster-son, foster-daughter, parents, grandparents, brother, or sister of the employee or any other person living in the immediate household of the employee.

C. Conditions and Procedures Under Which the Time Bank May be Established.

1. Only the Department Head may request establishment of the Time Bank, for an employee within the department who is suffering a financial hardship due to the conditions in paragraph B, above.
2. When the Department Head has determined that an employee would benefit from the

establishment of the Time Bank they will contact the employee to determine if the employee desires to participate in the Time Bank Program. If the employee desires to participate in the program the Department Head will contact the Personnel Department and recommend the establishment of the Time Bank.

3. The Time Bank will be established on behalf of the individual employee. The Time Bank will accept transfers of leave time from one or more donors.
4. State and Federal Income Tax on the value of leave transferred is deducted from the contributing employee's pay at the time of transfer.
5. The Time Bank Program will be operated by the Personnel Department. The Department Head will take actions to help ensure that individual employee decisions to transfer or not transfer leave are kept confidential and that employees are not pressured to participate.
6. Upon establishment of the Time Bank, the Personnel Department should ensure that only credits that are necessary are transferred. All transfers are irrevocable.
7. The County reserves the right to modify or terminate an established program as it deems necessary.

D. Conditions Under Which Leave Credits May be Transferred under the County's Voluntary Time Bank Program:

1. Any employee may transfer annual leave, vacation or administrative leave. Sick leave and compensatory time may not be transferred.
2. Transfers of annual leave, vacation or administrative leave must be in increments of 4 hours or more.
3. The transfer of leave hours is irrevocable. Should the recipient of the transfer not use all transferred leave any balance will remain with recipient or will be converted to cash upon recipient's separation.
4. An employee may not transfer leave hours which would reduce their total accrued leave balance (of annual leave, vacation, compensatory time, sick leave, administrative leave) to less than 168 hours.
5. Transferred leave shall be changed to its cash value and then credited to the recipient in equivalent hours (at the recipient's base hourly rate) and placed in the recipient's Time Bank balance.
6. Employees will use form PER1095 (Donation of Accrued Paid Leave to Employee Catastrophic Illness/Injury Time Bank) to submit transfer authorization directly to the Personnel Department. After review the form will be forwarded to the Auditor's Office for payroll action and adjustment to donor and recipient's paid leave balances.

E. Conditions Under Which Transferred Leave Credits May be Used.

1. Only the employee for whom the Time Bank has been established may receive leave credits under the Program. Such leave credits will be added to the employee's Time Bank balance.
2. The affected employee will provide verification of the qualifying event:

- (a) The employee will be required to provide a written statement to the Department Head indicating the death of the immediate family member and stating the employee's relationship to the deceased and the indicating the number of days leave they will need.
 - (b) Immediately upon return from leave the employee will provided the Personnel Department through their Department Head with documentation of the death and proof of relationship. The county reserves the right to terminate the Time Bank and to take any and all appropriate actions if this documentation is not provided.
3. The use of leave credits will be in consecutive one shift increments (e.g., 8 hours for a full-time employee working five eight hour days a week).
 4. Use of transferred credits may be for a maximum of fourteen (14) continuous days for any one event.

F. Departmental Responsibilities for Establishment of a Time Bank:

A Department Head who decides that the individual will benefit from the Voluntary Time Bank Program will arrange with the Personnel Department for the establishment of a Time Bank for the individual. The department must:

1. Receipt of written approval from the employee to announce the need for the Voluntary Time Bank.
2. Notify the Personnel Department of the need for the Time Bank and coordinate the Time Bank's establishment.
3. Require that employee transfers of leave time be made directly to the Personnel Department (this is necessary to ensure that employee's decision to transfer or not transfer is kept confidential).
4. Immediately investigate any allegations of pressure or coercion in the solicitation of transfers for the Time Bank, and take appropriate action.

G. Personnel Department Responsibilities:

1. Manage the Voluntary Time Bank Program.
2. Receive from the employee benefiting from the Time Bank proof of eligibility and a signed agreement allowing publication of the employee's situation.
3. The employee benefiting from the Time Bank and the Personnel Department will agree on the content of the publicity.
4. Publicize the establishment of the Time Bank. The notice will inform all employees of:
 - a. The establishment of the voluntary Time Bank.
 - b. Their opportunity to transfer leave credits to the individual.
 - c. How transfers are authorized and submitted.

- d. That the Time Bank can be terminated or modified at any time.
5. Coordinate with the County Administrative Office and the Auditor-Controller's Office to ensure that funds are properly transferred.
6. Notify the Department Head immediately if the program cannot be established and the reason(s).
7. Notify the Auditor-Controller of the establishment of the program.
8. Review all transfers for compliance with this policy. Forward to the Auditor-Controller's Office for payroll adjustment those transfers that comply. Inform those individuals who authorized transfers that do not comply with this policy that their transfers cannot be accepted.
9. Immediately investigate any allegations of pressure or coercion in the solicitation of transfers of leave and take appropriate action.