



## Legislation Text

File #: 111506, Version: 1

### 111506 SUBSTITUTE 1

ALD. DONOVAN

A substitute ordinance relating to an expansion of the donor leave program.

350-45-1 am

350-45-3-c am

350-45-3-d am

350-45-4-a am

Under current code provisions, the city's accrued time-off donor program allows city employees to donate earned vacation time to other city employees who suffer from certain catastrophic medical conditions. This ordinance expands the donor leave program to include catastrophic medical conditions suffered by employees' spouses, registered domestic partners, children or step-children. The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 350-45-1 of the code is amended to read:

#### **350-45. Accrued Time-Off Donor Program.**

1. ESTABLISHED. There is established a city-wide catastrophic illness leave donation program administered by the department of employee relations to provide income protection to eligible employees who have exhausted all ~~[[paid leave]]~~ >>accrued time-off<< and are suffering from a terminal or major catastrophic illness and are unable to work full-time >>or to eligible employees who have exhausted all accrued time-off, except sick leave, with immediate family members who are suffering from terminal or major catastrophic illness. "Immediate family" in this section means a spouse, registered domestic partner as provided in s. 350-245, child or step-child<<.

Part 2. Section 350-45-3-c and d of the code is amended to read:

#### **3. RECIPIENTS' ELIGIBILITY CRITERIA AND RULES.**

c. The employee, or his or her authorized agent, shall be responsible for completing the applications and obtaining a physician's statement certifying that the employee >>or the employee's immediate family member is suffering from a terminal or major catastrophic illness that<< meets the program's medical requirements.

d. No determination regarding eligibility to receive donated ~~[[time]]~~ >>time-off<< shall be made until the department of employee relations has received a completed application and physician's statement certifying that the employee >>or employee's immediate family member<< is suffering from a terminal or major catastrophic illness. An employee shall not be eligible to receive ~~[[accrued time]]~~ >>donated time-off<< unless and until he or she has exhausted all of his or her own accrued time-off >>for his or her own terminal or major catastrophic illness. An employee shall not be eligible to receive donated accrued time-off for an immediate family member unless and until he or she has exhausted all vacation, compensatory time, time-off in lieu of holidays and applicable paid sick leave

hours consistent with state and federal family medical leave laws<<. Although the decision of the department of employee relations respecting eligibility shall be final, employees who are denied this benefit shall be entitled to a written explanation as to why they did not qualify for participation in the program.

Part 3. Section 350-45-4-a of the code is amended to read:

4. PARTICIPATION BY EMPLOYEE UNIONS. a. Unless stated otherwise in a certified collective bargaining agreement while it is in force and in effect >>and consistent with city bargaining obligations<<, all city employees shall be eligible to participate in this program.

APPROVED AS TO FORM

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Legislative Reference Bureau

Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

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Office of the City Attorney

Date: \_\_\_\_\_

Department of Employee Relations

LRB137530-2

Mary E. Turk

3/6/2012

clerical correction -- 4/18/12 -- lp