



**BEAUMONT-CHERRY VALLEY WATER DISTRICT**  
560 Magnolia Avenue, Beaumont, CA 92223

**NOTICE AND AGENDA  
MEETING OF THE PERSONNEL COMMITTEE**

*This meeting is hereby noticed pursuant to  
California Government Code Section 54950 et. seq.*

**Tuesday, May 19, 2026 - 4:30 p.m.**  
**560 Magnolia Avenue, Beaumont, CA 92223**

**TELECONFERENCE NOTICE**

*The BCVWD Personnel Committee members will attend in person at the  
BCVWD Administrative Office*

*This meeting is available to the public via Zoom teleconference*

*To access the Zoom conference, use the link below:*

<https://us02web.zoom.us/j/85792068838?pwd=cFArZHZ4aHRSUmJLeTBCZVpnUGRmdz09>

**To telephone in, please dial: (669) 900-9128**  
**Enter Meeting ID: 857 9206 8838 • Enter Passcode: 457586**

*For Public Comment, use the “**Raise Hand**” feature if on  
the video call when prompted. If dialing in, please **dial \*9** to  
“**Raise Hand**” when prompted*

*Meeting materials will be available on the BCVWD’s website:*

<https://bcvwd.gov/document-category/personnel-committee-agendas/>

**PERSONNEL COMMITTEE MEETING – MAY 19, 2026**

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**Call to Order: Chair Covington**

**Roll Call**

	<b>John Covington, Chair</b>
	<b>Lona Williams</b>

	<b>Andy Ramirez (alternate)</b>
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# PERSONNEL COMMITTEE MEETING – MAY 19, 2026 - *continued*

## Public Comment

**PUBLIC COMMENT: RAISE HAND OR PRESS \*9 to request to speak when prompted. If you are present in the Conference Room, please fill out a Request to Speak card and deliver it to the Recording Secretary.**

At this time, any person may address the Committee on matters within its jurisdiction. However, state law prohibits the Committee from discussing or taking action on any item not listed on the agenda. Any non-agenda matters that require action will be referred to Staff for a report and possible action at a subsequent meeting.

**Please limit your comments to three minutes.** Sharing or passing time to another speaker is not permitted.

1. **Adjustments to the Agenda:** In accordance with Government Code Section 54954.2, additions to the agenda require a unanimous vote of the legislative body members present, which makes the determination that there is a need to take action, and the need to take action arose after the posting of the agenda.
  - a. Item(s) to be removed or continued from the Agenda
  - b. Emergency Item(s) to be added to the Agenda
  - c. Changes to the order of the Agenda

## ACTION ITEMS

2. **Acceptance of Personnel Committee Meeting minutes**

*Minutes may be accepted by consensus*

- a. April 21, 2026 Regular Meeting (pages 4 - 6)

3. **Report / Update from BCVWD Employees Association** (no staff report)

Association Representatives		
Justin Petruescu	Luis Lomeli	Ericka Enriquez

4. **Comments / Reports / Updates from BCVWD Unrepresented Employees**

*No staff report. Individual exempt employees are invited to provide comments at this time*

5. **Human Resources Report for April 2026** (pages 7 - 8)

6. **Policy 3225 Employee Leave Donations Program and Policy** (pages 9 - 34)

7. **American Heart Association (AHA) Well-being Works Better™ Gold Recognition – 2026** (pages 35 - 42)

8. **Action List for Future Meetings**

- a. Memorandum of Understanding (MOU) Negotiations

**9. Next Meeting Date: June 16, 2026**

**10. Adjournment**

**NOTICES**

**AVAILABILITY OF AGENDA MATERIALS** - Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the Beaumont-Cherry Valley Water District Personnel Committee in connection with a matter subject to discussion or consideration at an open meeting of the Committee are available for public inspection in the District's office, at 560 Magnolia Avenue, Beaumont, California ("District Office") during business hours, Monday through Thursday from 7:30 a.m. to 5 p.m. If such writings are distributed to members of the Board less than 72 hours prior to the meeting, they will be available from the District Office at the same time or within 24 hours' time as they are distributed to Board Members, except that if such writings are distributed one hour prior to, or during the meeting, they can be made available in the Board Room at the District Office. Materials may also be available on the District's website: <https://bcvwd.gov/>. (GC 54957.5)

**REVISIONS TO THE AGENDA** - In accordance with §54954.2(a) of the Government Code (Brown Act), revisions to this Agenda may be made up to 72 hours before the Meeting, if necessary, after mailings are completed. Interested persons wishing to receive a copy of the set Agenda may pick one up at the District's Main Office, located at 560 Magnolia Avenue, Beaumont, California, up to 72 hours prior to the Committee Meeting.

**REQUIREMENTS RE: DISABLED ACCESS** - In accordance with Government Code §54954.2(a), and the Americans with Disabilities Act (ADA), requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting, should be made to the District Office. Notification of at least 48 hours (two workdays) in advance of the meeting will generally enable staff to make reasonable arrangements to ensure accessibility. The Office may be contacted by telephone at (951) 845-9581, email at [info@bcvwd.gov](mailto:info@bcvwd.gov) or in writing at the Beaumont-Cherry Valley Water District, 560 Magnolia Avenue, Beaumont, California 92223.

**CERTIFICATION OF POSTING:** A copy of the foregoing notice was posted near the regular meeting place of the Personnel Committee of Beaumont-Cherry Valley Water District and to its website at least 72 hours in advance of the meeting (Government Code §54954.2(a)).



**BEAUMONT-CHERRY VALLEY WATER DISTRICT AGENDA**  
560 Magnolia Avenue, Beaumont, CA 92223

**MINUTES OF THE PERSONNEL COMMITTEE MEETING**  
**Tuesday, April 21, 2026, at 4:30 p.m.**

**CALL TO ORDER**

*Chair Covington called the meeting to order at 4:44 p.m.*

**ROLL CALL**

<i>Directors present:</i>	John Covington, Lona Williams
<i>Directors absent:</i>	None
<i>Staff present:</i>	General Manager Dan Jagers Director of Information Technology and Cybersecurity Robert Rasha Director of Finance and Administration Sylvia Molina Director Of Engineering Mark Swanson Human Resources and Risk Manager Ren Berioso Development Services Technician Lillian Medellin Tienda Administrative Clerk Crystal Ocegueda Executive Assistant Lynda Kerney
<i>BCVWD Employee Association reps:</i>	Luis Lomeli
<i>Members of the Public:</i>	None

**PUBLIC COMMENT:** None.

**ACTION ITEMS**

1. **Adjustments to the Agenda:** None.
2. **Acceptance of Personnel Committee Meeting minutes**
  - a. March 17, 2026 Regular Meeting

*The Committee accepted the meeting minutes by the following vote:*

MOVED: Williams	SECONDED: Covington	APPROVED
AYES:	Covington, Williams	
NOES:	None.	
ABSTAIN:	None.	
ABSENT:	None.	

3. **Report / Update from BCVWD Employees Association:** None

**4. Report / Update from BCVWD Exempt Employees: None.**

**5. Human Resources Report**

Human Resources and Risk Manager Ren Berioso presented highlights of the March 2026 report:

- Currently 49 employees
- Notable anniversaries including Jonathan Medina (21 years) and Dan Jagers (14 years)
- Two new hires:
  - Customer Service Representatives (returning employee)
  - Administrative Clerk
- Promotion: One employee transitioned from temporary to full-time (Water Utility Worker I).
- Turnover Rates:
  - March 2026 monthly turnover: 0%

Chair Covington acknowledged the new hires and Director Williams noted the anniversary milestones.

**6. 2026 Proposed Risk Management Report for First Quarter – January to March**

Human Resources and Risk Manager Ren Berioso summarized activity across workers' compensation, property loss or damage, and general liability claims. He reported two workers' compensation cases during the quarter, attributed to ergonomic factors associated with repetitive work. Berioso stated that staff continues to emphasize injury prevention through required daily warm-up exercises, ergonomic "stretch breaks," and ongoing safety training, with additional ergonomics education planned. He noted that while claim levels remain steady, staff is increasing preventative efforts, particularly in anticipation of potential heat-related illness during the summer months.

Berioso then reviewed five property loss and damage incidents, including one vandalized solar panel, one minor District vehicle accident, and three stolen fire hydrants. He explained that employee-related incidents are addressed through reinforced safe driving practices and required defensive driving training. For hydrant thefts, staff is evaluating mitigation measures in high-risk areas, including increased monitoring and potential material changes. General Manager Dan Jagers elaborated that staff is actively replacing vulnerable brass hydrants in remote areas with ductile iron models to reduce theft, noting the cost differential and ongoing implementation efforts. Directors discussed the financial impact of hydrant thefts and supported efforts to reduce losses, with Director Covington emphasizing the need to control costs and suggesting consideration of protective measures such as bollards in high-risk locations.

Berioso reported one litigation matter pending closure after dismissal by the plaintiff, and two additional claims that were closed with no cost to the District after determining no fault. He also provided an update on the Emergency Response Team's progress, noting that the Emergency Response Plan is nearing completion and that FEMA training participation rates remain high despite delays caused by the federal shutdown.

Director Covington commended staff on FEMA training progress and risk management efforts. He suggested a Plexiglas overlay to protect the solar panels. Director Williams commented on the price differential in fire hydrants.

## **7. Simplified Comparative Analysis: CalPERS vs. ACWA JPIA Medical Programs**

Berioso presented a simplified comparative analysis of CalPERS Health and the ACWA JPIA medical programs, following prior direction from the Personnel Committee to provide a clearer, side-by-side evaluation. He summarized cost impacts based on current 2026 enrollment and pricing, explaining that transitioning to the ACWA JPIA standard plan would result in an approximate 2% increase in annual costs, while the incentive plan could yield a modest savings of approximately 2.3%. Berioso emphasized that overall cost differences between the programs are relatively minor.

Berioso then reviewed plan specifications, noting that both programs offer comparable HMO and PPO structures but differ in cost-sharing details such as copays, emergency room costs, and out-of-pocket maximums. He explained that while core benefits are similar, variations in cost exposure and plan structure require employees to evaluate options based on individual and dependent healthcare needs. Berioso further outlined additional considerations, including financial stability, administrative responsibilities, retiree and Other Post-Employment Benefits (OPEB) implications, and labor relations, noting that CalPERS offers greater predictability and administrative simplicity, while transitioning to ACWA JPIA could introduce additional complexity, variability, and potential legal considerations.

Director Williams asked about the impact on vested employees and potential penalties for leaving CalPERS. General Manager Jagers explained that additional analysis and negotiations would be required to fully address those issues and that any transition would involve associated costs but not necessarily penalties. Director Covington expressed appreciation for the report and suggested that the information be shared with the full Board for awareness and potential future direction.

## **8. Action List for Future Meetings**

- Employee Association topics
- Employee Group 2027 Memorandum of Understanding
- Policy 3225 Leave Donation Program (bring back)
- American Heart Association Gold Tier

## **9. Next Meeting Date: May 19, 2026**

**ADJOURNMENT:** 5:22 *p.m.*

*DRAFT UNTIL APPROVED*

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John Covington, Chairman  
to the Personnel Committee of the Beaumont-Cherry Valley Water District



**Beaumont-Cherry Valley Water District  
Personnel Committee Meeting  
May 19, 2026**

**Item 5**

**HUMAN RESOURCES REPORT**

**TO:** Personnel Committee  
**FROM:** Human Resources and Risk Management  
**SUBJECT:** Human Resources Report for the Month of April 2026

**Table 1: Personnel**

The table below represents the District's current Workforce.

As of April 30, 2026

<b>Total Current Employees (Excluding Board Members)</b>	<b>49</b>
Full-Time Employees	47
Part-Time	1
Temporary	0
Interns	1
Separations	0
Retired Employee(s)	0

**Table 2: New Hires**

The table below represents newly hired employees.

As of April 30, 2026

<b>Employee Name</b>	<b>Job Title</b>	<b>Department</b>
None		

**Table 3: Anniversaries\***

The table below represents BCVWD employee anniversaries.

As of April 30, 2026

<b>Employee Name</b>	<b>Department</b>	<b>Years of Service</b>
Jaime Munoz	Operations	21 years
Julian Herrera	Operations	19 years
Sylvia Molina	Finance and Administration	14 years
Joshua McCue	Operations	10 years
Dustin Smith	Operations	9 years
Mason Madrigal	Operations	1 year

*\*Work Anniversaries for the purposes of this report are calculated from the hire date and do not determine employment conditions or terms. This report does not include elected officials.*



**Table 4: Promotions or Division/Title Change**

The table below represents promotions or Division/Title Changes.

As of April 30, 2026

Employee Name	Former Title	Changed to
None		

**Table 5: Recruitment**

The table below represents active/closed recruitment(s).

As of April 30, 2026

Position	Department	Update
None		

**Tables 6 to 7: Separation/Retirement**

Table 6 below represents employees separating from BCVWD.

As of April 30, 2026

Employee Name	Position Held	Department	Last Day
None			

Table 7 below represents the monthly and year-to-date Turnover Rate comparing 2025 and 2026

As of April 2026, vs. 2025

<b>Turnover Rate as of April 30, 2026</b>	0%	No Separation for this month
<b>2026 Turnover Rate Year-to-Date</b>	0%	0 Separation as of April 30, 2026
<b>Turnover Rate as of April 30, 2025</b>	0%	No Separation for this month
<b>2025 Turnover Rate Year-to-Date</b>	4.17%	2 Separations as of April 30, 2025

**Table 9: Communications**

The table below represents HR communications to BCVWD employees.

As of April 30, 2026

Communication	Topic
“Stop The Bleed” Emergency First Aid Training	Safety
Water Certification Requirements and Certification Pay	Compliance
Meeting with General Manager – Exempt Employee Classifications	Compliance
Happy Administrative Professionals Day - April 22, 2026	Engagement

*Staff Report Prepared by Ren Berioso, Human Resources and Risk Manager*



**Beaumont-Cherry Valley Water District  
Personnel Committee  
May 19, 2026**

**Item 6**

**STAFF REPORT**

**TO:** Personnel Committee

**FROM:** Human Resources and Risk Management

**SUBJECT: Policies and Procedures Manual Updates / Revisions for Policy 3225 Employee Leave Donation Program and Policy**

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**Staff Recommendation**

Review the revisions to of Policy 3225 Employee Leave Donation Program and Policy, and recommend it to move forward to the Board of Directors for consideration, or direct staff as desired.

**Executive Summary**

At the February 17, 2026 meeting, staff presented proposed revisions to Policy 3225 to the Personnel Committee for review. The Committee was provided a redlined draft and approximately three (3) months were dedicated for review and evaluation of the proposed updates.

Following that presentation, and through consultation with the General Manager, executive team, and the Memorandum of Understanding (MOU) group during March–April 2026, refined fiscal and structural concerns were raised regarding the inclusion of sick leave as an eligible leave type for donation. After further evaluation and consensus among District leadership, it was determined that including sick leave may introduce financial exposure and structural risk to the District. As a result, staff has revised the proposed policy to remove sick leave as a donation option and limit donations to vacation leave and other approved leave banks.

**Background**

The Leave Donation Program policy was originally created in 2019 in response to staff desire to donate a portion of accrued leave to a colleague experiencing hardship. The Board of Directors adopted Policy 3225 on October 9, 2019, through Resolution 2019-11. Although well-intended, the original policy's eligibility provisions were highly restrictive and the program has not been utilized since adoption.

In February 2026, staff presented a revised draft to modernize the policy, clarify definitions, strengthen safeguards, and make the program operationally viable.

Subsequently, further consultation with District leadership prompted a refined analysis of leave types eligible for donation.

**Discussion**

The revised concerns regarding sick leave focus on its structural and financial characteristics under existing agreements.



Currently:

- Sick leave is uncapped, allowing employees to accumulate unlimited balances.
- Sick leave carries a 50% cash-out value, subject to eligibility requirements.
- Employees are not eligible for sick leave cash-out if even one hour of sick leave has been used within a rolling twelve (12) month period.
- Sick leave provides 100% wage replacement value when used for approved purposes.
- Sick leave is not payable upon resignation or separation.

Although sick leave cannot be taken upon separation, it nonetheless carries monetary value during employment. Even when converted at 50% value for donation purposes, it becomes a fully realized benefit to the recipient at 100% wage value when used.

Because sick leave is uncapped, transferring accumulated balances through donation introduces potential long-term fiscal unpredictability. The partial cash-out value combined with full wage replacement value upon use creates a structural financial dynamic that differs from vacation leave. Additionally, the existing sick leave cash-out rules are designed to incentivize preservation of balances (eligibility is forfeited if any sick leave is used within a rolling twelve-month period). Allowing sick leave to be donated could alter the financial balance of that structure and introduce unintended fiscal or behavioral consequences.

In contrast:

- Vacation leave is capped.
- It represents a defined and predictable financial liability.
- Donation of vacation leave redistributes an existing vested liability between employees without increasing long-term accrual exposure.
- Vacation leave is generally utilized more frequently by employees each year compared to sick leave, which naturally limits excessive accumulation and encourages more deliberate decision-making when donating accrued balances.

This usage pattern supports mindful participation and helps mitigate the potential risk of program abuse. After consultation and majority input from the General Manager, executive team, and MOU group, it was determined that limiting donation eligibility to vacation leave and other approved leave banks better aligns with fiscal stewardship, predictability, and risk management principles while preserving the compassionate intent of the program.

All other safeguards and improvements to the policy remain intact, including:

- Clear eligibility criteria and documentation requirements.
- Safeguards against program manipulation.
- Human Resources eligibility verification.
- Final approval authority by the General Manager or designee.
- Confidentiality and no retaliation provisions.
- Coordination with FMLA, CFRA, SDI, PFL, and Workers' Compensation benefits.
- Clarified procedures for insufficient and residual donations.

Table A, Summary of Policy Changes, outlines the proposed changes to the current policy that are in reference to the redlined draft version attached herewith.



TABLE A	Policy Section	State / Federal Law requirement	BCVWD current practice	Policy Section and Language to Consider
1	Entire Policy Sections	None	N/A	Modernized the language and updated certain procedures based on current events and changes in organizational structure.  <i>Removed "Sick Leave" in all sections and subsections.</i>
2	Section 3225.1	None	The policy only covers catastrophic medical conditions.	Added qualifying events such as death of a family member(s) and/or being a victim of a crime.
3	None	None	N/A	Added Section 3225.1 Definition of Terms for Recipient and Donating Employees
4	None	None	The District uses Catastrophic Medical Condition in its language.	Added Section 3225.2.2(a)(1) that defines "Serious Health Condition".  Added Section 3225.2.2(a)(1)(i) that included Grandparent and Siblings as covered family members.
5	None	None	N/A	Added Section 3225.2.2(a)(1)(ii) that defines "Death of a Family Member"
6	None	None	N/A	Added Section 3225.2.2(a)(1)(iii) that defines "Crime Victim"
7	3225.2.c	None	N/A	Revised the 12 months rolling period to 3 months for eligibility for another donation request.
8	None	None	N/A	Added Section 3225.2.3 "Safeguards Against Program Manipulation"
9	None	None	N/A	Added Section 3225.2.4 "No Guarantee of Approval"
10	None	None	N/A	Updated Section 3225.2.7 and changed the section title to "Notice of Leave Donation and Confidentiality of the Participants"



<b>TABLE A</b>	<b>Policy Section</b>	<b>State / Federal Law requirement</b>	<b>BCVWD current practice</b>	<b>Policy Section and Language to Consider</b>
<b>11</b>	<b>None</b>	<b>None</b>	N/A	Updated Section 3225.2.9 per Legal Counsel and Director of Finance and Admin's advice. Since this is not pertaining to FMLA/CFRA, certain provisions need to be adjusted.
<b>12</b>	<b>None</b>	<b>None</b>	N/A	Updated Section 3225.2.10 to address the dynamics if two or more employees donated, and the process of the return of residual leave accruals.  Also, Director of Finance and Admin provided an example to illustrate the provisions of the section.
<b>13</b>	<b>None</b>	<b>None</b>	N/A	Deleted Section 3225.2.11 and 12 since these provisions are already covered in other policies.
<b>14</b>	<b>None</b>	<b>None</b>	N/A	Added Section 3225.3 "Insufficient Leave Donations"
<b>15</b>	<b>None</b>	<b>None</b>	N/A	Added Section 3225.4 "No Retaliation"
<b>16</b>	<b>None</b>	<b>None</b>	N/A	Deleted Section 3225.2.5 "Forms" since this is procedural.

**Fiscal Impact**

There is no direct fiscal impact associated with this revision. The Leave Donation Program redistributes existing accrued leave between employees. Administrative oversight will continue to be managed within existing Human Resources and Payroll operations.

**Attachments**

1. Redlined version Policy 3225 Employee Leave Donation Program and Policy
2. Side-by-Side version Policy 3225 Employee Leave Donation Program and Policy
3. Clean version Policy 3225 Employee Leave Donation Program and Policy

Staff Report prepared by Ren Berioso, Human Resources and Risk Manager

# Attachment 1

BEAUMONT-CHERRY VALLEY WATER DISTRICT

**POLICY TITLE: EMPLOYEE LEAVE DONATION PROGRAM AND POLICY**  
**POLICY NUMBER: 3225**

3225.1 **Purpose.** To establish a program to assist Beaumont-Cherry Valley Water District ("District") employees who have exhausted all earned paid time off caused by a **serious health condition, catastrophic illness or injury, death of a family member, or being victims of a crime, and to outline a procedure through which employees may donate their own accrued sick and vacation or other forms of leaves (e.g. administrative or floating leave)** to an eligible employee in need.

**Commented [RB1]:** Sick Leave was removed due to liability reasons as discussed with the GM and the stakeholders.

3225.2 **Policy.**

### 1. Definition of Terms

- a. **Recipient Employee. A full-time, regular District employee who meets the eligibility criteria of the Leave Donation Program and has been approved to receive donated leave due to a qualifying event resulting in financial hardship after exhausting all accrued paid leave.**
- b. **Donating Employee. A full-time, regular District employee who voluntarily donates accrued sick or vacation or other forms of leave (e.g. administrative or floating leave) to an eligible Recipient Employee, in accordance with the provisions of this policy.**

### 1.2. Eligibility

- a. **Participation Criteria. The recipient of the Leave Donation Program hours are is available to a full time, regular employee who has experienced a personal (or eligible family member) "catastrophic-serious health medical condition, illness or injury", death of a family member, or being a victim of crime which totally incapacitates the employee from work, and forces the employee to exhaust all leave time earned by that employee, resulting in a loss of compensation from the District and financial hardship for that employee. The General Manager or his/her designee may authorize the donation of leave hours to a recipient employee who is under the probationary period.**
  - i. **Serious Health Condition. A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider, which makes the recipient employee or a covered family member unable to work or perform other regular daily activities. A medical certification from the treating healthcare provider must be provided to substantiate the existence of a serious health condition and to verify that the employee is subject to work restrictions. Per this section, the "Eligible Family" members covered as defined by the Healthy Workplaces, Healthy Families Act of 2014 (HWFHA) include::**
    1. Child. A child, which means a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis. This definition of a child is applicable regardless of age or dependency status.
    2. Parent. A biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.

**Commented [RB2]:** This language was recommended by the Director of Engineering.

Adopted by Resolution ~~2019-011, 10/09/2019~~xxx

BEAUMONT-CHERRY VALLEY WATER DISTRICT

- 3. Spouse. The term “spouse” is not defined in the legislation mandating kin care but presumably applies only to an individual to whom the employee is legally married.
- 4. Registered domestic partner. A registered domestic partnership shall be established in California when both persons file a Declaration of Domestic Partnership and are registered with the Secretary of State.
- 5. **Grandparent. A biological, adoptive, step, or foster grandparent.**
- 6. **Sibling. A biological, adoptive, step, or foster brother or sister, including half-siblings.**
- ii. ~~Recipient Employee must be on an approved Family, Medical and/or Pregnancy Disability leave including a medical certification from the treating medical provider that the catastrophic medical condition, illness or injury exists.~~ **Death of a Family Member. The Recipient employee must have an approved bereavement leave in place prior to submitting the Leave Donation request. Human Resources may request supporting documentation from the recipient employee. For information regarding the relationship of the employee to the deceased family member, please refer to Policy Number 3100.**
- iii. **Crime Victim. The Recipient Employee must be the direct victim to be eligible for the Leave Donation Program. Human Resources may request supporting documentation (e.g. police report). For documentation information, please refer to Policy 3111.**
- b. **The Recipient Employee must have exhausted all earned paid leave (including sick leave, vacation, bereavement and other available accrued time banks.) before the employee may to be eligible to accept leave donations.**
- ~~c. Recipient Employee must have passed their probationary period.~~
- c. Before an employee is eligible to receive donated leave after having received donated leave from a previous occasion, the employee must have returned to work with the District and have worked a minimum of **three (3)** consecutive months ~~and minimum of 1250 hours during the months~~ preceding the request.
- ~~d.~~
- 2.3. Safeguards Against Program Manipulation**
- a. **Eligibility may be affected if the Recipient Employee has received a sick leave cash-out within six (6) months preceding the event under consideration.**
- a-b. **Eligibility is also determined based on a review of the Recipient Employee’s attendance record reviewed by Human Resources and the General Manager or designee.**
- b-c. **The District may review up to twelve (12) months of the Recipient Employee’s leave usage to determine eligibility.**
- e-d. **The Recipient Employee shall be deemed ineligible if it is determined that accrued leave was intentionally depleted, converted, or cashed out for the purpose of qualifying for leave donations, or in anticipation of a reasonably foreseeable qualifying event.**
- 3.4. No Guarantee of Approval**

**Commented [RB3]:** These sections were jointly created by HR, Directors of Engineering, IT and Operations.

**Commented [RB4]:** 12 consecutive months is very restrictive per feedback from stakeholders.

**Commented [RB5]:** This section was jointly created by HR, Directors of Engineering, IT and Operations.

**Commented [RB6]:** Added by HR.

Adopted by Resolution ~~2019-011, 10/09/2019~~xxx

- a. Meeting the minimum eligibility requirements of this policy does not guarantee approval of leave donations. All requests are subject to the District's discretionary review based on the totality of circumstances, program intent, and equity considerations.
- a.b. If the Recipient eEmployee's request for Leave Donation under this policy has been denied, this shall not be construed as an adverse action against the Recipient eEmployee.

**4.5. Requesting Leave Donations**

- a. An **Recipient eligible** employee, meeting the requirements stated above, must submit a request in writing using the form provided by ~~the Human Resources District.~~
- b. **Human Resources shall ensure the confidentiality of all information related to the Recipient Employee.**
- c. ~~The Recipient employee~~ **Employee** shall agree to accept the donated leave under the terms of this policy.
- d. **The Recipient Employee's information shall not disclose his/her medical condition, diagnosis, and/or prognosis.**

**5.6. Authorization**

- a. ~~Upon verification~~ **Human Resources will verify** that the **Recipient eEmployee** meets the eligibility requirements, **including required documentation** as set forth in this policy.
- a.b. ~~the Human Resources Director of Finance and Administrative Services or their designee shall will recommend-submit that~~ the request for Leave Donation **to the General Manager or his/her designee for consideration together with the supporting documentation** ~~be approved. ; similarly requests that are not found to meet eligibility requirements shall be recommended for denial.~~
- b.c. The General Manager ~~or his/her designee shall will~~ serve as the final decision-making authority. **The General Manager or his/her designee retains sole discretion to determine the amount of leave donations granted to the recipient employee, including any extensions, on a case-by-case basis.**
- e.d. A decision on approval or denial of the Leave Donation request shall be made within **one (1) work week** ~~eight (8) working days~~ of receipt of a completed request.
- e. The Recipient Employee shall be notified in writing of approval **by Human Resources!** If the Leave Donation request is denied, Recipient employee shall also be notified in writing including the reason for denial. **Such denial shall not be construed as an adverse action against the Recipient eEmployee.**

**6.7. Notice of Leave Donation and Confidentiality of the Participants to Recipient Employee**

- a. Upon approval of the Leave Donation request, a notice to all District employees shall be prepared by **Human Resources** ~~the Director of Finance and Administrative Services, or designee, using the District's prescribed form,~~ and distributed via email and on District bulletin boards **disclosing only the minimum information**

Adopted by Resolution ~~2019-011, 10/09/2019~~ xxx

necessary to facilitate participation. ~~using the District's standardized form for this purpose.~~

b. Medical information, diagnosis, prognosis, treatment details, financial circumstances, leave balances, benefit status, or any other confidential personnel information related to the Recipient Employee shall not be disclosed.

a-c. The Recipient Employee's name and the nature of the qualifying event shall not be disclosed without the Recipient Employee's prior written authorization. If authorization is not provided, the notice may refer to "a District employee" approved under the Leave Donation Program.

b. ~~The~~ The identity of Donating Employee(s), the amount donated, and related payroll or leave information shall remain confidential and shall not be disclosed except as necessary for payroll administration, auditing, or as otherwise required by law. ~~Recipient eEmployee's Personal medical information shall not be disclose including the requesting Recipient Employee's his/her medical condition, diagnosis, and/or prognosis. The notice shall include the employee's name, department, and the process in which to donate.~~

d.

↵

7-8. Donations to Recipient Employee

a. Once a Leave Donation request has been approved, the ~~Department Director of Finance and Administration, or Services, or designee,~~ through its Payroll Division, shall establish a leave donation account for Recipient Employee and tracking system for the receipt and usage of donations.

b. All employee donations made to the Recipient Employee shall remain confidential, including the Donating Employee(s)'s identity and personal information.

c. Employees shall solely determine whether to voluntarily participate in making leave donations, without influence from the District, or its employees, supervisors or managers on whether or not to participate.

d. Donations may be made in increments of one (1) hour.

e. Employees who wish to donate to Recipient Employee may choose to donate time from his/her ~~the~~ sick leave or vacation leave bank, and must maintain a minimum balance of 40 hours in the leave bank(s) selected.

f. Donating Employees are limited to donating a minimum of one ~~two (12) hours,~~ and a maximum of forty (40) hours ~~per calendar year~~ per Recipient Employee, each year, and may donate to more than one Recipient Employee in ~~the same~~ a calendar year, provided that the donating employee retains the minimum required leave balance ~~as stated above~~ of forty (40) hours in his/her leave bank(s).

g. The value of donated leave time shall be determined based on the Donating Employee(s) ~~donor's~~ regular pay rate, and then converted to the Recipient Employee's regular pay rate ~~to the nearest half (0.5) hour~~ to determine the number of leave hours donated.

Commented [SM8]: I moved this because it makes it sound like you can only donate once, and then says you can donate to others.

Commented [BR(9)]: Sylvia suggested removed.

Example: Paul earns \$40 per hour and wants to donate 8 hours of sick-vacation time to Jane, who earns \$20 per hour.

The value of Paul's ~~8-hour~~ donation is \$320 (\$40x8), which would equate to 16 hours of sick-vacation leave (\$320/20) donation for Jane.

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Similarly, if Jane donated **8 hours** to Paul, the value of her ~~8 hours~~ donation is \$160 (**\$20x8**), which would equate to 4 hours of ~~sick-vacation~~ leave donation (**\$160/\$40**) for Paul.

**8-9. Use of Leave Donation**

- a. Only the ~~approved~~ Recipient Employee **approved by the General Manager or his/her designee** may receive donated hours, and such donated hours ~~shall~~ **may** not be transferred by Recipient Employee ~~or by donors~~ to other employees.
- b. The Recipient Employee's account shall be administered **accordingly** so that hours will be used only as needed ~~and in the order donated. Donated hours shall reflect as a negative adjustment to the Donating Employee(s) donor's accrual balance during the pay period in which they are utilized and not immediately upon submittal approval of the leave donation form.~~
- c. Recipient Employee must ~~follow all District required Family and Medical Leave procedures including keeping Human Resources the District informed of any changes in medical status and/or limitations, and supported by a certification from the treating healthcare provider, consistent with District Policy and FMLA/CFRA/CPDL regulations.~~
- d. **If the Recipient Employee is under Family and Medical Leave, he/she** must apply for any paid leave or benefit programs for which they ~~are eligible~~ **and if the time permits**, including State Disability Insurance (SDI), Paid Family Leave (PFL) and/or other benefit programs. ~~and then the e~~ Employee's access to the Leave Donation Program shall ~~only be limited to covering~~ for the difference between the employee's straight time base hourly wage and the **compensation received from amount paid the employee by** such programs. **The Recipient Employee is required to provide** ~~shall present~~ official documentation of ~~such compensation~~ **all benefits payments received to the Director of Finance and Administrative Services, or designee Human Resources**, during the ~~catastrophic-long-term~~ illness **or injury**, and while receiving donated leave.
- e. In the instance where a ~~catastrophic illness or injury~~ **serious medical condition** qualifies or may qualify an employee for State Workers' Compensation, the employee shall first make an application for Workers' Compensation benefits and then the employee's access to the Leave Donation Program shall only be for the difference between the employee's straight time base hourly wage and the amount paid the employee by the State Workers' Compensation benefits.  
~~Recipient Employee is limited to a maximum total Life-time donation of 680 hours during their entire employment with the District.~~
- f.
- g. ~~No As with all sick leave, abuse and misuse of donated leave is grounds for disciplinary action, up to and including termination.~~

**9-10. Residual Leave Donations**

- a. The donation of leave is not intended to result in the Recipient Employee having a residual leave balance after the ~~qualifying catastrophic~~ event is over.
- b. Any leave donations not used by the Recipient Employee shall be returned to the **Donating Employee(s) donor(s)** ~~based on the order in which the hours were donated and used. If two or more employees donated leave credits and the total donated leave exceeds the amount needed, the unused leave shall be returned to each Donating Employee in the form of leave credits. The return shall be proportional to the number of hours each Donating Employee originally contributed, not based on the monetary value of the leave.~~ -This includes leave credits that are ~~later~~ determined **later** to be unnecessary because a Workers'

**Commented [RTG10]:** You may want to develop a system to determine what happens when there is more than one eligible employee. Perhaps donated hours could be divided between or among them. Donor employees should not be able to choose which employee they donate to.

**Commented [BR(10R2)]:** The LDP is not a bank and distributed to qualified employees. This is the employee's discretion to donate or not to someone whom they feel needs it.

**Commented [SM11]:** If you adjust to the donating person per pay period, that will be way too complicated and will not be even hours - only a lump sum adjustment would (which is what the example is), especially if there are more than a day's worth of hours donated OR more than one person donating- I can explain if needed, but this is NOT something I would want my team to have to calculate.

**Commented [RTG12]:** Not clear whether you are saying that the same policies and procedures that apply to FMLA and PDL also apply to this policy, or that someone is eligible for leave donation only if they are on FMLA or PDL.

**Commented [BR(12R2)]:** Deleted FMLA provisions.

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Compensation claim was approved for the employee. Donating Employees shall be notified that the time they pledged was not needed by the Recipient Employee and is being credited back to their-his/her own leave bank.

*Example: Paul earns \$40 per hour and donates 8 hours of sickvacation time to Jane, who earns \$20 per hour. The donation value is \$320 and for Jane, that is 16 hours of sickvacation leave.*

*Jane uses 10 hours of donated sickvacation leave and no longer needs the remaining 6 hours of sickvacation leave, which has a value of \$120 (6x\$20).*

*The unused leave is transferred back to Paul. The sickvacation leave accruals for Paul are increased by 3 hours (\$120/\$40).*

- b. \_\_\_\_\_
- c. Donated and unused leave has no cash value, and will not be paid out to the Recipient Employee if they/he/she separates from the District employment.
- d. If the Recipient Employee separates from District employment due to termination, retirement, disability, etc. any remaining donated leave shall be returned to the donor Donating Employee in the form of leave credits. If there are two or more Donating Employees, leave credits will be returned proportionally to the number of hours each Donating Employee originally contributed, not based on the monetary value of the leave.

d.

**10. Health Benefits**

- a. ~~Health Insurance.~~ Employees on leave who were previously covered by the District's health benefits shall continue to be covered at the level and under the condition that the coverage would have been provided if the employee were continuing to work, consistent with FMLA/CFRA, and CPDL and existing benefits and leave policy.
- b. ~~Sick and Vacation Accruals.~~ Sick leave, vacation time, and other time off benefits do not accrue during the use of leave donated under the Employee Leave Donation program, or Family and Medical Leave.

**11. Return to Work.** Employee's return to work may require a physician's release and shall follow district policy and procedures related to Family and Medical leave.

**3225.3 Insufficient Leave Donations.**

- a. If the total donated leave is insufficient to cover the Recipient Employee's approved absence, the Recipient Employee may elect to take unpaid leave in accordance with applicable District policy and law.
- b. The District is not obligated to supplement donated leave, extend donation periods, or provide additional compensation beyond the donated hours approved under this policy. The General Manager or designee may, at his/her sole discretion, authorize an additional donation notice period if warranted by the circumstances.

**3225.4 Abuse and Misuse of Donated Leave.** Donated leave must be used exclusively for its approved purpose. Any falsification, unauthorized use, abuse, or misuse may result in disciplinary action, up to and including termination of employment. The District, through its Human Resources reserves the right to investigate any suspected violations in accordance with its disciplinary procedures.

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**Commented [RTG13]:** If the employee is on FMLA, wouldn't a separate policy apply?

**Commented [BR(13R2)]:** Referred to Policy 3115. Done.

**Commented [RTG14]:** Not sure why the return to work policy would be different for employees using donated leave versus employees on unpaid status for long-term medical issues?

**Commented [RB15]:** Added to address Insufficient Leave Donations.

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**3225.5 No Retaliation.** Participation in the Leave Donation Program is voluntary. No employee shall be subject to retaliation, intimidation, coercion, or adverse employment action for requesting donated leave, receiving donated leave, declining to donate leave, or participating in the program in any manner consistent with this policy.

**Any employee who believes they have been subjected to retaliation related to the Leave Donation Program should report the matter to Human Resources. Allegations of retaliation will be reviewed and addressed in accordance with District policies and applicable law.**

**~~3225.4~~ Procedures/Steps.**

- |  |   |
|--|---|
| Requesting <del>Recipient</del> Employee   | 1. Initiates <del>Submits</del> a request for Leave Donation using the District's prescribed form and submits to <del>Human Resources</del> the Director of Finance and Administrative Services.  |
| Human Resources  | 2. Verifies eligibility of the requesting <del>Recipient Employee</del> based on the documentation submitted, and makes recommendation to the General Manager or his/her designee.  |
| General Manager or his/her designee  | 3. Renders a decision within <del>one (1) work week</del> eight (8) working days of receipt of request.   |
| Human Resources  | 4. Informs requesting <del>Recipient Employee</del> of decision and if approved, <del>Prepares and distributes a notice to District employees informing of the opportunity for employees to donate leave with a time frame of one (1) work week or four (4) workdays to donate to the bank.</del> |
| Department of Finance and Administration (Payroll)   | 5. <del>If approved by the General Manager, simultaneously</del> Establishes a leave donation account for Recipient Employee; tracks donations and usage.   |
| Donor <del>Donating</del> Employee   | 6. Completes a leave donation form and submits to <del>Human Resources</del> the Director of Finance and Administrative Services, or designee.  |
| Director of Finance and Administrative Services, or Designee <del>Department of Finance and Administration (Payroll)</del> | 7. Manages leave donations, converts hours, and allocates donations to Recipient Employee in the order received.  |
|  | 8. Deducts leave donations from donor <del>Donating Employee(s)</del> accounts at the time of use, and in the order received.   |

**Commented [BR(16):** Suggested language to ensure a timely donation from everyone and to reduce administrative work

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~~Recipient Employee~~

~~9. Adheres to all provisions of the policy in order to become and remain eligible to receive leave donations, including the District's Family and Medical Leave procedures (if applicable), and keeping the District informed of leave status.~~

~~10. Applies for any State (or other) paid leave programs for which he/she is eligible if taking Family and medical Leave (FMLA/CFRA), and provides documentation to the District. The same rule applies if the employee is eligible for State Workers Compensation benefits.~~

~~Recipient Employee~~

~~11. Coordinates return to work with the District Human Resources.~~

~~Director of Finance and Administrative Services, or Designee Department of Finance and Administration (Payroll)~~

~~12. Returns residual donations to Donating Employee(s) proportionally to the number of hours each Donating Employee originally contributed, not based on the monetary value of the leave.~~

~~3225.4 Forms.~~

- ~~1. Employee Request for Leave Donation~~
- ~~2. Authorization to Donate Leave~~
- ~~3. Physician's Certification (Employee to Use District's FMLA/CFRA Medical Certification Form)~~

Adopted by Resolution ~~2019-011, 10/09/2019~~ **xxx**

CURRENT POLICY

POLICY TITLE: EMPLOYEE LEAVE DONATION PROGRAM AND POLICY  
 POLICY NUMBER: 3225

3225.1 Purpose. To establish a program to assist Beaumont-Cherry Valley Water District ("District") employees who have exhausted all earned paid time off caused by a catastrophic illness or injury, and a procedure in which employees may donate their own accrued sick and vacation leave to an eligible employee in need.

3225.2 Policy.

1. Eligibility
  - a. Leave Donation Program hours are available to a full time, regular employee who has experienced a personal (or eligible family member) "catastrophic medical condition, illness or injury", which totally incapacitates the employee from work, and forces the employee to exhaust all leave time earned by that employee, resulting in a loss of compensation from the District and financial hardship for that employee.
  - b. "Eligible Family" members as defined by the Healthy Workplaces, Healthy Families Act of 2014 (HWFHA):
    - i. Child: A child, which means a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis. This definition of a child is applicable regardless of age or dependency status.
    - ii. Parent: A biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.
    - iii. Spouse: The term "spouse" is not defined in the legislation mandating kin care but presumably applies only to an individual to whom the employee is legally married.
    - iv. Registered domestic partner: A registered domestic partnership shall be established in California when both persons file a Declaration of Domestic Partnership and are registered with the Secretary of State.
  - c. Determination of a "catastrophic medical condition" shall be consistent with eligibility for leave under the Family and Medical Leave Act (FMLA), California Family Rights Act (CFRA) and the California Pregnancy Disability Leave Act (CPDL). Conditions that are short-term in nature including, but not limited to, common illnesses such as influenza, measles, common injuries, broken bones, strained ligaments, uncomplicated pregnancy, and the like are not catastrophic. Chronic illnesses or injuries such as cancer, major surgery, unresponsive syndromes and the like, which result in intermittent absences from work and which are long-term in nature and require long recuperation periods may be considered catastrophic.
  - d. Recipient Employee must be on an approved Family, Medical and/or Pregnancy Disability leave including a medical certification from the treating medical provider that the catastrophic medical condition, illness or injury exists.
  - e. Recipient Employee must have exhausted all earned paid leave including sick leave, vacation, and other available accrued time banks, before the employee may accept leave donations.
  - f. Recipient Employee must have passed their probationary period.
  - g. Before an employee is eligible to receive donated leave after having received donated leave from a previous occasion, the employee must have returned to work with the District and have worked a minimum of 12 consecutive months and minimum of 1250 hours during the months preceding the request.
2. Requesting Leave Donations

PROPOSED POLICY

POLICY TITLE: EMPLOYEE LEAVE DONATION PROGRAM AND POLICY  
 POLICY NUMBER: 3225

3225.1 Purpose. To establish a program to assist Beaumont-Cherry Valley Water District ("District") employees who have exhausted all earned paid time off caused by a serious health condition; catastrophic illness or injury, death of a family member, or being victims of a crime, and to outline a procedure through which employees may donate their own accrued sick and vacation or other forms of leaves (e.g. administrative or floating leave) to an eligible employee in need.

3225.2 Policy.

1. Definition of Terms.
  - a. Recipient Employee: A full-time, regular, District employee who meets the eligibility criteria of the Leave Donation Program and has been approved to receive donated leave due to a qualifying event resulting in financial hardship after exhausting all accrued paid leave.
  - b. Donating Employee: A full-time, regular, District employee who voluntarily donates accrued sick or vacation or other forms of leave (e.g. administrative or floating leave) to an eligible Recipient Employee, in accordance with the provisions of this policy.
2. Eligibility.
  - a. Participation Criteria: The recipient of the Leave Donation Program hours are available to a full time, regular employee who has experienced a personal (or eligible family member) "catastrophic serious health medical condition, illness or injury", death of a family member, or being a victim of crime which totally incapacitates the employee from work, and forces the employee to exhaust all leave time earned by that employee, resulting in a loss of compensation from the District and financial hardship for that employee. The General Manager or his/her designee may authorize the donation of leave hours to a recipient employee who is under the probationary period.
    - i. Serious Health Condition: A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider, which makes the recipient employee or a covered family member unable to work or perform other regular daily activities. A medical certification from the treating healthcare provider must be provided to substantiate the existence of a serious health condition and to verify that the employee is subject to work restrictions. Per this section, the "Eligible Family" members covered are defined by the Healthy Workplaces, Healthy Families Act of 2014 (HWFHA) include:
      1. Child: A child, which means a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis. This definition of a child is applicable regardless of age or dependency status.
      2. Parent: A biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.
      3. Spouse: The term "spouse" is not defined in the legislation mandating kin care but presumably applies only to an individual to whom the employee is legally married.

- a. An eligible employee, meeting the requirements stated above, must submit a request in writing using the form provided by the District.
  - b. Recipient employee shall agree to accept the donated leave under the terms of this policy.
3. Authorization
    - a. Upon verification that the employee meets the eligibility requirements as set forth in this policy, the Director of Finance and Administrative Services or their designee shall recommend that the request for Leave Donation be approved, similarly requests that are not found to meet eligibility requirements shall be recommended for denial.
    - b. The General Manager shall serve as the final decision-making authority.
    - c. A decision on approval or denial of the Leave Donation request shall be made within eight (8) working days of receipt of a complete request.
    - d. The Recipient Employee shall be notified in writing of approval. If the Leave Donation request is denied, Recipient employee shall also be notified in writing including the reason for denial.
  4. Notice to Recipient Employee
    - a. Upon approval of the Leave Donation request, a notice to all District employees shall be prepared by the Director of Finance and Administrative Services, or designee, using the District's prescribed form, and distributed via email and on District bulletin boards using the District's standardized form for this purpose.
    - b. Personal medical information shall not be disclosed including the requesting Recipient Employee's condition, diagnosis, and/or prognosis. The notice shall include the employee's name, department, and the process in which to donate.
  5. Donations to Recipient Employee
    - a. Once a Leave Donation request has been approved, the Director of Finance and Administrative Services, or designee, shall establish a leave donation account for Recipient Employee and tracking system for the receipt and usage of donations.
    - b. All employee donations made to the Recipient Employee shall remain confidential.
    - c. Employees shall solely determine whether to voluntarily participate in making leave donations, without influence from the District, or its employees, supervisors or managers on whether or not to participate.
    - d. Donations may be made in increments of one (1) hour.
    - e. Employees who wish to donate to Recipient Employee may choose to donate time from their sick leave or vacation leave bank, and must maintain a minimum balance of 40 hours in the leave bank(s) selected.
    - f. Employees are limited to donating a maximum of 40 hours per calendar year per Recipient Employee, and may donate to more than one Recipient Employee in the same calendar year, provided that the donating employee retains the minimum required leave balance as stated above.
    - g. The value of donated leave time shall be determined based on the donor's regular pay rate, and then converted to the Recipient Employee's regular pay rate to the nearest half (0.5) hour to determine the number of leave hours donated.

Example: Paul earns \$40 per hour and wants to donate 8 hours of sick time to Jane, who earns \$20 per hour. The value of Paul's 8 hours is \$320, which would equate to 16 hours of sick leave donation for Jane. Similarly, if Jane donated to Paul, the value of her 8 hours is \$160, which would equate to 4 hours of sick leave donation for Paul.

4. Registered domestic partner. A registered domestic partnership shall be established in California when both persons file a Declaration of Domestic Partnership and are registered with the Secretary of State...
  5. Grandparent. A biological, adoptive, step, or foster grandparent...
  6. Sibling. A biological, adoptive, step, or foster brother or sister, including half-siblings.
- ii. Recipient Employee must be on an approved Family Medical and/or Pregnancy Disability leave including a medical certification from the treating medical provider that the catastrophic medical condition, illness or injury exists. Death of a Family Member. The Recipient employee must have an approved bereavement leave in place prior to submitting the Leave Donation request. Human Resources may request supporting documentation from the recipient employee. For information regarding the relationship of the employee to the deceased family member, please refer to Policy Number 3100.
    - iii. Crime Victim. The Recipient Employee must be the direct victim to be eligible for the Leave Donation Program. Human Resources may request supporting documentation (e.g. police report). For documentation information, please refer to Policy 3111.
    - b. The Recipient Employee must have exhausted all earned paid leave (including sick leave, vacation, bereavement and other available accrued time banks) before the employee may be eligible to accept leave donations.
      - e. Recipient Employee must have passed their probationary period.
      - c. Before an employee is eligible to receive donated leave after having received donated leave from a previous occasion, the employee must have returned to work with the District and have worked a minimum of three (3) 1/2 consecutive months, and minimum of 1250 hours during the months preceding the request.
        - d. **2.3. Safeguards Against Program Manipulation**
          - a. Eligibility may be affected if the Recipient Employee has received a sick leave cash-out within six (6) months preceding the event under consideration.
            - a-b. Eligibility is also determined based on a review of the Recipient Employee's attendance record reviewed by Human Resources and the General Manager or designee...
            - b-c. The District may review up to twelve (12) months of the Recipient Employee's leave usage to determine eligibility.
            - e-d. The Recipient Employee shall be deemed ineligible if it is determined that accrued leave was intentionally depleted, converted, or cashed out for the purpose of qualifying for leave donations, or in anticipation of a reasonably foreseeable qualifying event.
- 3-4. **No Guarantee of Approval**
    - a. Meeting the minimum eligibility requirements of this policy does not guarantee approval of leave donations. All requests are subject to the District's discretionary review based on the totality of circumstances, program intent, and equity considerations.
    - a-b. If the Recipient Employee's request for Leave Donation under this policy has been denied, this shall not be construed as an adverse action against the Recipient Employee.

6. Use of Leave Donation
- a. Only the approved Recipient Employee may receive donated hours, and such donated hours may not be transferred by Recipient Employee or by donors to other employees.
  - b. The Recipient Employee's account shall be administered so that hours will be used only as needed and in the order donated. Donated hours shall reflect as a negative adjustment to the donor's accrual balance during the pay period in which they are utilized and not immediately upon submittal of the leave donation form.
  - c. Recipient Employee must follow all District required Family and Medical Leave procedures including keeping the District informed of any changes in medical status and/or limitations consistent with District Policy and FMLA/CFRA/CPDL regulations.
  - d. Recipient Employee must apply for any paid leave or benefit programs for which they are eligible, including State Disability Insurance (SDI), Paid Family Leave (PFL) and/or other benefit programs, and then the employee's access to the Leave Donation Program shall only be for the difference between the employee's straight time base hourly wage and the amount paid the employee by such programs. Recipient Employee shall present official documentation of such compensation received to the Director of Finance and Administrative Services, or designee, during the catastrophic illness, and while receiving donated leave.
  - e. In the instance where a catastrophic illness or injury qualifies or may qualify an employee for State Workers' Compensation, the employee shall first make an application for Workers' Compensation benefits and then the employee's access to the Leave Donation Program shall only be for the difference between the employee's straight time base hourly wage and the amount paid the employee by the State Workers' Compensation benefits.
  - f. Recipient Employee is limited to a maximum total Life-time donation of 680 hours.
  - g. As with all sick leave, abuse and misuse of donated leave is grounds for disciplinary action, up to and including termination.
7. Residual Leave Donations
- a. The donation of leave is not intended to result in the Recipient Employee having a residual leave balance after the catastrophic event is over.
  - b. Any leave donations not used by the Recipient Employee shall be returned to the donor(s) based on the order in which the hours were donated and used. This includes leave credits that are later determined to be unnecessary because a Workers' Compensation claim was approved for the employee. Donors shall be notified that the time they pledged was not needed by the Recipient Employee and is being credited back to their own leave bank.
  - c. Donated and unused leave has no cash value.
  - d. If the Recipient Employee separates from District employment due to termination, retirement, disability, etc. any remaining donated leave shall be returned to the donor.
8. Health Benefits
- a. **Health Insurance.** Employees on leave who were previously covered by the District's health benefits shall continue to be covered at the level and under the condition that the coverage would have been provided if the employee were continuing to work, consistent with FMLA/CFRA, and CPDL and existing benefits and leave policy.
  - b. **Sick and Vacation Accruals.** Sick leave, vacation time, and other time off benefits do not accrue during the use of leave donated under the Employee Leave Donation program, or Family and Medical Leave.
9. **Return to Work.** Employee's return to work may require a physician's release and shall follow district policy and procedures related to Family and Medical leave.

#### 4.5. Requesting Leave Donations

- a. An Recipient eligible employee, meeting the requirements stated above, must submit a request in writing using the form provided by the Human Resources District.
- b. Human Resources shall ensure the confidentiality of all information related to the Recipient Employee.
- c. The Recipient employee-Employee shall agree to accept the donated leave under the terms of this policy.
- d. The Recipient Employee's information shall not disclose his/her medical condition, diagnosis, and/or prognosis.

#### 5.6. Authorization

- a. Upon verification Human Resources will verify that the Recipient eEmployee meets the eligibility requirements, including required documentation as set forth in this policy.
- a-b. the Human Resources Director of Finance and Administrative Services or their designee shall will recommend-submit that the request for Leave Donation to the General Manager or his/her designee for consideration together with the supporting documentation be approved, similarly requests that are not found to meet eligibility requirements shall be recommended for denial.
- b-c. The General Manager or his/her designee shall will serve as the final decision-making authority. The General Manager or his/her designee retains sole discretion to determine the amount of leave donations granted to the recipient employee, including any extensions, on a case-by-case basis.
- d. A decision on approval or denial of the Leave Donation request shall be made within one (1) work week eight (8) working days of receipt of a completed request.
- e. The Recipient Employee shall be notified in writing of approval by Human Resources. If the Leave Donation request is denied, Recipient employee shall also be notified in writing including the reason for denial. Such denial shall not be construed as an adverse action against the Recipient eEmployee.

#### 6.7. Notice of Leave Donation and Confidentiality of the Participant to Recipient Employee

- a. Upon approval of the Leave Donation request, a notice to all District employees shall be prepared by Human Resources the Director of Finance and Administrative Services, or designee, using the District's prescribed form, and distributed via email and on District bulletin boards disclosing only the minimum information necessary to facilitate participation, using the District's standardized form for this purpose.
- b. Medical information, diagnosis, prognosis, treatment details, financial circumstances, leave balances, benefit status, or any other confidential personnel information related to the Recipient Employee shall not be disclosed.
- a-c. The Recipient Employee's name and the nature of the qualifying event shall not be disclosed without the Recipient Employee's prior written authorization. If authorization is not provided, the notice may refer to "a District employee" approved under the Leave Donation Program.

3225.3 **Procedures/Steps.**  
Requesting Employee

1. Initiates a request for Leave Donation using the District's prescribed form and submits to the Director of Finance and Administrative Services.

Human Resources

2. Verifies eligibility of the requesting employee, and makes recommendation to the General Manager.

General Manager

3. Renders a decision within eight (8) working days of receipt of request.

Human Resources

4. Informs requesting employee of decision and if approved, prepares and distributes a notice to District employees informing of the opportunity for employees to donate leave.

Donor Employee

5. Establishes a leave donation account for Recipient Employee; tracks donations and usage.

6. Completes a leave donation form and submits to the Director of Finance and Administrative Services, or designee.

Director of Finance and Administrative Services, or Designee

7. Manages leave donations, converts hours, and allocates donations to Recipient Employee in the order received.

Recipient Employee

8. Deducts leave donations from donor employee accounts at the time of use, and in the order received.

9. Adheres to all provisions of the policy in order to become and remain eligible to receive leave donations, including the District's Family and Medical Leave procedures, and keeping the District informed of leave status.

10. Applies for any State (or other) paid leave programs for which he/she is eligible and provides documentation to the District.

b. The identity of Donating Employee(s), the amount donated, and related payroll or leave information shall remain confidential and shall not be disclosed except as necessary for payroll administration, auditing, or as otherwise required by law. Recipient Employee's Personal medical information shall not be disclosed including the requesting Recipient Employee's his/her medical condition, diagnosis, and/or prognosis. The notice shall include the employee's name, department, and the process in which to donate.

d.

6.

**7.8.**

**Donations to Recipient Employee**

a. Once a Leave Donation request has been approved, the Department Director of Finance and Administrative Services, or designee, through its Payroll Division, shall establish a leave donation account for Recipient Employee and tracking system for the receipt and usage of donations.

b. All employee donations made to the Recipient Employee shall remain confidential, including the Donating Employee(s)'s identity and personal information.

c. Employees shall solely determine whether to voluntarily participate in making leave donations, without influence from the District, or its employees, supervisors or managers on whether or not to participate.

d. Donations may be made in increments of one (1) hour.

e. Employees who wish to donate to Recipient Employee may choose to donate time from his/her/their sick leave or vacation leave bank, and must maintain a minimum balance of 40 hours in the leave bank(s) selected.

f. Donating Employees are limited to donating a minimum of one-two (12) hours, and a maximum of forty (40) hours per calendar year per Recipient Employee, each year, and may donate to more than one Recipient Employee in the same calendar year, provided that the donating employee retains the minimum required leave balance as stated above of forty (40) hours in his/her leave bank(s).

g. The value of donated leave time shall be determined based on the Donating Employee's regular pay rate, and then converted to the Recipient Employee's regular pay rate to the nearest half (0.5) hour to determine the number of leave hours donated.

Example: Paul earns \$40 per hour and wants to donate 8 hours of sick vacation time to Jane, who earns \$20 per hour.

The value of Paul's 8-hours donation is \$320 (\$40x8), which would equate to 16 hours of sick-vacation leave (\$320/\$20) donation for Jane.

Similarly, if Jane donated 8 hours to Paul, the value of her 8-hours donation is \$160 (\$20x8), which would equate to 4 hours of sick-vacation leave donation (\$160/\$40) for Paul.

**8.9.**

**Use of Leave Donation**

a. Only the approved Recipient Employee approved by the General Manager or his/her designee may receive donated hours, and such donated hours shall not be transferred by Recipient Employee or by donors to other employees.

b. The Recipient Employee's account shall be administered accordingly, so that hours will be used only as needed and in the order donated. Donated hours shall reflect as a negative adjustment to the Donating Employee(s) donor's actual balance

11. Submits Workers' Compensation claim, if the catastrophic injury or illness is perceived to be work related.

12. Coordinates return to work with the District

13. Returns residual donations to donors.

Recipient Employee

Director of Finance and Administrative Services, or Designee

3025.4 **Forms.**

1. Employee Request for Leave Donation
2. Authorization to Donate Leave
3. Physician's Certification (Employee to Use District's FMLA/CFRA Medical Certification Form)

during the pay period in which they are utilized and not immediately upon submittal approval of the leave donation form.

c. Recipient Employee must follow all District required Family and Medical Leave procedures including keeping Human Resources the District informed of any changes in medical status and/or limitations, and supported by a certification from the treating healthcare provider consistent with District Policy and FMLA/CFRA/CPDL regulations.

d. If the Recipient Employee is under Family and Medical Leave, he/she must apply for any paid leave or benefit programs for which they are eligible and if the time permits, including State Disability Insurance (SDI), Paid Family Leave (PFL) and/or other benefit programs, and then the employee's access to the Leave Donation Program shall only be limited to covering the difference between the employee's straight time base hourly wage and the compensation received from amount paid the employee by such programs. The Recipient Employee is required to provide shall present official documentation of such compensational benefits payments received to the Director of Finance and Administrative Services, or Designee Human Resources, during the catastrophic long-term illness or injury, and while receiving donated leave.

e. In the instance where a catastrophic illness or injury serious medical condition qualifies or may qualify an employee for State Workers' Compensation, the employee shall first make an application for Workers' Compensation benefits and then the employee's access to the Leave Donation Program shall only be for the difference between the employee's straight time base hourly wage and the amount paid the employee by the State Workers' Compensation benefits.

f. Recipient Employee is limited to a maximum total life-time donation of 680 hours during their entire employment with the District.

~~f. No As with all sick leave, abuse and misuse of donated leave is grounds for disciplinary action, up to and including termination.~~

**10. Residual Leave Donations**

a. The donation of leave is not intended to result in the Recipient Employee having a residual leave balance after the qualifying catastrophic event is over.

b. Any leave donations not used by the Recipient Employee shall be returned to the Donating Employee(s) donor(s) based on the order in which the hours were donated and used. If two or more employees donated leave credits and the total donated leave exceeds the amount needed, the unused leave shall be returned to each Donating Employee in the form of leave credits. The return shall be proportional to the number of hours each Donating Employee originally contributed, not based on the monetary value of the leave. This includes leave credits that are later determined later to be unnecessary because a Workers' Compensation claim was approved for the employee. Donating Employees shall be notified that the time they pledged was not needed by the Recipient Employee and is being credited back to their his/her own leave bank.

~~Example: Paul earns \$40 per hour and donates 8 hours of sickvacation time to Jane, who earns \$20 per hour. The donation value is \$320 and for Jane, that is 16 hours of sickvacation leave.~~

~~Jane uses 10 hours of donated sickvacation leave and no longer needs the remaining 6 hours of sickvacation leave, which has a value of \$120 (6x\$20).~~

*The unused leave is transferred back to Paul. The sick/vacation leave accruals for Paul are increased by 3 hours. (\$120/\$40).*

- b. \_\_\_\_\_
- c. Donated and unused leave has no cash value, and will not be paid out to the Recipient Employee if they/she separates from the District employment.
- d. If the Recipient Employee separates from District employment due to termination, retirement, disability, etc., any remaining donated leave shall be returned to the donor Donating Employee in the form of leave credits. If there are two or more Donating Employees, leave credits will be returned proportionally to the number of hours each Donating Employee originally contributed, not based on the monetary value of the leave.;

d.

#### 11. Health Benefits

- a. **Health Insurance.** Employees on leave who were previously covered by the District's health benefits shall continue to be covered at the level and under the condition that the coverage would have been provided if the employee were continuing to work, consistent with FMLA/CFRA, and CPDL and existing benefits and leave policy.
- b. **Sick and Vacation Accruals.** Sick leave, vacation time, and other time off benefits do not accrue during the use of leave donated under the Employee Leave Donation program, or Family and Medical Leave.

42. **Return to Work.** Employees' return to work may require a physician's release and shall follow district policy and procedures related to Family and Medical Leave.

3225.3

#### **Insufficient Leave Donations.**

- a. If the total donated leave is insufficient to cover the Recipient Employee's approved absence, the Recipient Employee may elect to take unpaid leave in accordance with applicable District policy and law.
- b. The District is not obligated to supplement donated leave, extend donation periods, or provide additional compensation beyond the donated hours approved under this policy. The General Manager or designee may, at his/her sole discretion, authorize an additional donation notice period if warranted by the circumstances.

3225.4 **Abuse and Misuse of Donated Leave.** Donated leave must be used exclusively for its approved purpose. Any falsification, unauthorized use, abuse, or misuse may result in disciplinary action, up to and including termination of employment. The District, through its Human Resources reserves the right to investigate any suspected violations in accordance with its disciplinary procedures.

3225.5 **No Retaliation.** Participation in the Leave Donation Program is voluntary. No employee shall be subject to retaliation, intimidation, coercion, or adverse employment action for requesting donated leave, receiving donated leave, declining to donate leave, or participating in the program in any manner consistent with this policy.

Any employee who believes they have been subjected to retaliation related to the Leave Donation Program should report the matter to Human Resources. Allegations of retaliation will be reviewed and addressed in accordance with District policies and applicable law.

3225.4 **Procedures/Steps.**

Requesting Recipient Employee	1. Initiates Submits a request for Leave Donation using the District's prescribed form and submits to Human Resources the Director of Finance and Administrative Services.
Human Resources	2. Verifies eligibility of the requesting Recipient Employee based on the documentation submitted, and makes recommendation to the General Manager or his/her designee.
General Manager or his/her designee	3. Renders a decision within one (1) work weeknight (8) working days of receipt of request.
Human Resources	4. Informs requesting Recipient Employee of decision, and if approved, Prepares and distributes a notice to District employees informing of the opportunity for employees to donate leave with a time frame of one (1) work week or four (4) workdays to donate to the bank.
Department of Finance and Administration (Payroll)	5. If approved by the General Manager, simultaneously Establishes a leave donation account for Recipient Employee, tracks donations and usage.
Donor Donating Employee	6. Completes a leave donation form and submits to Human Resources the Director of Finance and Administrative Services, or designee.
Director of Finance and Administrative Services, or Designee Department of Finance and Administration (Payroll)	7. Manages leave donations; converts hours; and allocates donations to Recipient Employee in the order received.
8. Deducts leave donations from donor Donating Employee(s) accounts at the time of use, and in the order received.	Recipient Employee
9. Adheres to all provisions of the policy in order to become and remain eligible to receive leave donations, including the District's Family and Medical Leave procedures (if applicable), and keeping the District informed of leave status.	10. Applies for any State (or other) paid leave programs for which he/she is eligible if taking Family and medical Leave (FMLA/CFLA), and provides documentation to the District. The same rule applies if the employee is eligible for State Workers Compensation benefits.

Recipient Employee	412. Coordinates return to work with the District Human Resources.
Director of Finance and Administrative Services, or Designee Department of Finance and Administration (Payroll)	423. Returns residual donations to Donating Employee(s)'s proportionally to the number of hours each Donating Employee originally contributed, not based on the monetary value of the leave.

3225.4 **Forms:**

1. ~~Employee Request for Leave Donation~~
2. ~~Authorization to Donate Leave~~
3. ~~Physician's Certification (Employee to Use District's FMLA/CFRA Medical Certification Form)~~

**POLICY TITLE: EMPLOYEE LEAVE DONATION PROGRAM AND POLICY**  
**POLICY NUMBER: 3225**

3225.1 **Purpose.** To establish a program to assist Beaumont-Cherry Valley Water District (“District”) employees who have exhausted all earned paid time off caused by a serious health condition, death of a family member, or being victims of a crime, and to outline a procedure through which employees may donate their accrued vacation or other forms of leave (e.g. administrative or floating leave) to an eligible employee in need.

3225.2 **Policy.**

**1. Definition of Terms**

- a. **Recipient Employee.** A full-time, regular District employee who meets the eligibility criteria of the Leave Donation Program and has been approved to receive donated leave due to a qualifying event resulting in financial hardship after exhausting all accrued paid leave.
- b. **Donating Employee.** A full-time, regular District employee who voluntarily donates accrued vacation or other forms of leave (e.g. administrative or floating leave) to an eligible Recipient Employee, in accordance with the provisions of this policy.

**2. Eligibility**

- a. **Participation Criteria.** The recipient of the Leave Donation Program is available to a full time, regular employee who has experienced a personal (or eligible family member) serious health condition, death of a family member, or being a victim of crime which totally incapacitates the employee from work, and forces the employee to exhaust all leave time earned by that employee, resulting in a loss of compensation from the District and financial hardship for that employee. The General Manager or his/her designee may authorize the donation of leave hours to a recipient employee who is under the probationary period.
  - i. **Serious Health Condition.** A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider, which makes the recipient employee or a covered family member unable to work or perform other regular daily activities. A medical certification from the treating healthcare provider must be provided to substantiate the existence of a serious health condition and to verify that the employee is subject to work restrictions. Per this section, the “Eligible Family” members covered include:
    1. Child. A child, which means a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis. This definition of a child is applicable regardless of age or dependency status.
    2. Parent. A biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee’s spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.
    3. Spouse. The term “spouse” is not defined in the legislation mandating kin care but presumably applies only to an individual to whom the employee is legally married.

4. Registered domestic partner. A registered domestic partnership shall be established in California when both persons file a Declaration of Domestic Partnership and are registered with the Secretary of State.
  5. Grandparent. A biological, adoptive, step, or foster grandparent.
  6. Sibling. A biological, adoptive, step, or foster brother or sister, including half-siblings.
- ii. **Death of a Family Member.** The Recipient employee must have an approved bereavement leave in place prior to submitting the Leave Donation request. Human Resources may request supporting documentation from the recipient employee. For information regarding the relationship of the employee to the deceased family member, please refer to Policy Number 3100.
  - iii. **Crime Victim.** The Recipient Employee must be the direct victim to be eligible for the Leave Donation Program. Human Resources may request supporting documentation (e.g. police report). For documentation information, please refer to Policy 3111.
- b. The Recipient Employee must have exhausted all earned paid leave (sick leave, vacation, bereavement and other available accrued time banks) to be eligible to accept leave donations.
  - c. Before an employee is eligible to receive donated leave after having received donated leave from a previous occasion, the employee must have returned to work with the District and have worked a minimum of three (3) consecutive months preceding the request.

### 3. Safeguards Against Program Manipulation

- a. Eligibility may be affected if the Recipient Employee has received a sick leave cash-out within six (6) months preceding the event under consideration.
- b. Eligibility is also determined based on a review of the Recipient Employee's attendance record reviewed by Human Resources and the General Manager or designee.
- c. The District may review up to twelve (12) months of the Recipient Employee's leave usage to determine eligibility.
- d. The Recipient Employee shall be deemed ineligible if it is determined that accrued leave was intentionally depleted, converted, or cashed out for the purpose of qualifying for leave donations, or in anticipation of a reasonably foreseeable qualifying event.

### 4. No Guarantee of Approval

- a. Meeting the minimum eligibility requirements of this policy does not guarantee approval of leave donations. All requests are subject to the District's discretionary review based on the totality of circumstances, program intent, and equity considerations.
- b. If the Recipient Employee's request for Leave Donation under this policy has been denied, this shall not be construed as an adverse action against the Recipient Employee.

### 5. Requesting Leave Donations

- a. A Recipient employee, meeting the requirements stated above, must submit a request in writing using the form provided by Human Resources.

- b. Human Resources shall ensure the confidentiality of all information related to the Recipient Employee.
- c. The Recipient Employee shall agree to accept the donated leave under the terms of this policy.
- d. The Recipient Employee's information shall not disclose his/her medical condition, diagnosis, and/or prognosis.

**6. Authorization**

- a. Human Resources will verify that the Recipient Employee meets the eligibility requirements, including required documentation as set forth in this policy.
- b. Human Resources will submit the request for Leave Donation to the General Manager or his/her designee for consideration together with the supporting documentation.
- c. The General Manager or his/her designee will serve as the final decision-making authority. The General Manager or his/her designee retains sole discretion to determine the amount of leave donations granted to the recipient employee, including any extensions, on a case-by-case basis.
- d. A decision on approval or denial of the Leave Donation request shall be made within one (1) work week of receipt of a completed request.
- e. The Recipient Employee shall be notified in writing of approval by Human Resources. If the Leave Donation request is denied, Recipient employee shall also be notified in writing including the reason for denial. Such denial shall not be construed as an adverse action against the Recipient Employee.

**7. Notice of Leave Donation and Confidentiality of the Participants**

- a. Upon approval of the Leave Donation request, a notice to all District employees shall be prepared by Human Resources and distributed via email and on District bulletin boards disclosing only the minimum information necessary to facilitate participation.
- b. Medical information, diagnosis, prognosis, treatment details, financial circumstances, leave balances, benefit status, or any other confidential personnel information related to the Recipient Employee shall not be disclosed.
- c. The Recipient Employee's name and the nature of the qualifying event shall not be disclosed without the Recipient Employee's prior written authorization. If authorization is not provided, the notice may refer to "a District employee" approved under the Leave Donation Program.
- d. The identity of Donating Employee(s), the amount donated, and related payroll or leave information shall remain confidential and shall not be disclosed except as necessary for payroll administration, auditing, or as otherwise required by law

**8. Donations to Recipient Employee**

- a. Once a Leave Donation request has been approved, the Department of Finance and Administration, through its Payroll Division, shall establish a leave donation account for Recipient Employee and tracking system for the receipt and usage of donations.
- b. All employee donations made to the Recipient Employee shall remain confidential, including the Donating Employee(s)'s identity and personal information.

## BEAUMONT-CHERRY VALLEY WATER DISTRICT

- c. Employees shall solely determine whether to voluntarily participate in making leave donations, without influence from the District, or its employees, supervisors or managers on whether or not to participate.
- d. Donations may be made in increments of one (1) hour.
- e. Employees who wish to donate to Recipient Employee may choose to donate time from his/her sick leave or vacation leave bank and must maintain a minimum balance of 40 hours in the leave bank(s) selected.
- f. Donating Employees are limited to donate a minimum of one (1) hour, and a maximum of forty (40) hours per Recipient Employee, each year, and may donate to more than one Recipient Employee in a calendar year, provided that the donating employee retains the minimum required leave balance of forty (40) hours in his/her leave bank(s).
- g. The value of donated leave time shall be determined based on the Donating Employee(s)'s regular pay rate, and then converted to the Recipient Employee's regular pay rate to determine the number of leave hours donated.

*Example: Paul earns \$40 per hour and wants to donate 8 hours of vacation time to Jane, who earns \$20 per hour.*

*The value of Paul's donation is \$320 ( $\$40 \times 8$ ), which would equate to 16 hours of vacation leave ( $\$320 / 20$ ) donation for Jane.*

*Similarly, if Jane donated 8 hours to Paul, the value of her donation is \$160 ( $\$20 \times 8$ ), which would equate to 4 hours of vacation leave donation ( $\$160 / \$40$ ) for Paul.*

### **9. Use of Leave Donation**

- a. Only the Recipient Employee approved by the General Manager or his/her designee may receive donated hours, and such donated hours shall not be transferred by Recipient Employee to other employees.
- b. The Recipient Employee's account shall be administered accordingly so that hours will be used only as needed.
- c. Recipient Employee must keep Human Resources informed of any changes in medical status and/or limitations, and supported by a certification from the treating healthcare provider.
- d. If the Recipient Employee is under Family and Medical Leave, he/she must apply for any paid leave or benefit programs for which they are eligible and if the time permits, including State Disability Insurance (SDI), Paid Family Leave (PFL) and/or other benefit programs. Employee's access to the Leave Donation Program shall be limited to covering the difference between the employee's straight time base hourly wage and the compensation received from such programs. The Recipient Employee is required to provide official documentation of all benefits payments to Human Resources, during the long-term illness or injury, and while receiving donated leave.
- e. In the instance where a serious medical condition qualifies or may qualify an employee for State Workers' Compensation, the employee shall first make an application for Workers' Compensation benefits and then the employee's access to the Leave Donation Program shall only be for the difference between the employee's straight time base hourly wage and the amount paid the employee by the State Workers' Compensation benefits.

### **10. No Residual Leave Donations**

Adopted by Resolution xxx

## BEAUMONT-CHERRY VALLEY WATER DISTRICT

- a. The donation of leave is not intended to result in the Recipient Employee having a residual leave balance after the qualifying event is over.
- b. Any leave donations not used by the Recipient Employee shall be returned to the Donating Employee(s). If two or more employees donated leave credits and the total donated leave exceeds the amount needed, the unused leave shall be returned to each Donating Employee in the form of leave credits. The return shall be proportional to the number of hours each Donating Employee originally contributed, not based on the monetary value of the leave. This includes leave credits that are determined later to be unnecessary because a Workers' Compensation claim was approved for the employee. Donating Employees shall be notified that the time they pledged was not needed by the Recipient Employee and is being credited back to his/her own leave bank.

*Example: Paul earns \$40 per hour and donates 8 hours of vacation time to Jane, who earns \$20 per hour. The donation value is \$320 and for Jane, that is 16 hours of vacation leave.*

*Jane uses 10 hours of donated vacation leave and no longer needs the remaining 6 hours of vacation leave, which has a value of \$120 (6x\$20).*

*The unused leave is transferred back to Paul. The vacation leave accruals for Paul are increased by 3 hours (\$120/\$40).*

- c. Donated and unused leave has no cash value and will not be paid out to the Recipient Employee if he/she separates from the District.
- d. If the Recipient Employee separates from District employment due to termination, retirement, disability, etc. any remaining donated leave shall be returned to the Donating Employee in the form of leave credits. If there are two or more Donating Employees, leave credits will be returned proportionally to the number of hours each Donating Employee originally contributed, not based on the monetary value of the leave.

### 3225.3 **Insufficient Leave Donations.**

- a. If the total donated leave is insufficient to cover the Recipient Employee's approved absence, the Recipient Employee may elect to take unpaid leave in accordance with applicable District policy and law.
- b. The District is not obligated to supplement donated leave, extend donation periods, or provide additional compensation beyond the donated hours approved under this policy. The General Manager or designee may, at his/her sole discretion, authorize an additional donation notice period if warranted by the circumstances.

**3225.4 Abuse and Misuse of Donated Leave.** Donated leave must be used exclusively for its approved purpose. Any falsification, unauthorized use, abuse, or misuse may result in disciplinary action, up to and including termination of employment. The District, through its Human Resources reserves the right to investigate any suspected violations in accordance with its disciplinary procedures.

**3225.5 No Retaliation.** Participation in the Leave Donation Program is voluntary. No employee shall be subject to retaliation, intimidation, coercion, or adverse employment action for requesting

## BEAUMONT-CHERRY VALLEY WATER DISTRICT

donated leave, receiving donated leave, declining to donate leave, or participating in the program in any manner consistent with this policy.

Any employee who believes they have been subjected to retaliation related to the Leave Donation Program should report the matter to Human Resources. Allegations of retaliation will be reviewed and addressed in accordance with District policies and applicable law.

Adopted by Resolution xxx



**Beaumont-Cherry Valley Water District  
Personnel Committee Meeting  
May 19, 2026**

**Item 7**

**STAFF REPORT**

**TO:** Personnel Committee  
**FROM:** Human Resources and Risk Management  
**SUBJECT:** American Heart Association (AHA) Well-being Works Better™ Gold Recognition – 2026

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**Staff Recommendation**

Informational Only.

**Executive Summary**

In 2026, Beaumont-Cherry Valley Water District (BCVWD) received Gold Recognition through the American Heart Association (AHA) Well-being Works Better™ Scorecard program, earning 126 out of 138 possible points. The nationally recognized program evaluates organizational commitment to employee health, safety, and well-being through evidence-based workplace practices.

**Discussion**

On February 2, 2026, BCVWD submitted its application to the AHA Well-being Works Better™ Scorecard program. The submission highlighted District programs and practices related to employee wellness, safety, emergency preparedness, ergonomic practices, return-to-work procedures, mental health support, workers' compensation management, health communications, and CPR/First Aid training.

On March 4, 2026, AHA requested additional supporting documentation, which staff coordinated across departments and submitted for review.

On April 13, 2026, BCVWD was awarded Gold Recognition with a score of 126 out of 138 points, placing the District near the top of the Gold tier. The recognition reflects the District's continued commitment to employee health, safety, and overall well-being.

AHA feedback also identified opportunities for future enhancement, including consideration of an on-site fitness facility and expanded healthy food options at District events.

**Fiscal Impact:** None.

**Attachments:**

1. AHA Well-being Works Better™ Gold Recognition Certificate (2026)
2. AHA Gold Recognition Congratulations Letter
3. AHA Recognition Guidelines and Scoring Criteria

*Staff Report Prepared by Ren Berioso, Human Resources Manager*



American Heart Association.

# WELL-BEING WORKS BETTER™ SCORECARD

CERTIFICATE OF ACHIEVEMENT PRESENTED TO

## BEAUMONT-CHERRY VALLEY WATER DISTRICT

*for demonstrating a commitment to workforce health and well-being by earning*

# GOLD RECOGNITION

IN THE WELL-BEING WORKS BETTER SCORECARD.

The American Heart Association's Well-being Works Better program provides employers with science-backed guidance to foster and evolve a healthy work culture that supports employees in their comprehensive well-being – mind, heart and body.

*Please note, the American Heart Association does not endorse or promote products, processes, services or enterprises from other organizations. Recognition is based solely on an organization's adherence to the American Heart Association's recommended practices in workforce health and well-being.*





## 07 - Attachment 2

*Chairperson of the Board*

Lee Shapiro

*President*

Stacey E. Rosen, MD, FAHA

*Chairperson-elect*

Linda Gooden

*President-elect*

Manesh Patel, MD, FAHA

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Joseph Woo, MD, FAHA

Joseph C. Wu, MD, PhD, FAHA

*Chief Executive Officer*

Nancy A. Brown

*Chief Operating Officer*

Suzie Upton

*Chief Science and Medical Officer*

Mariell Jessup, MD, FAHA

*Chief Administrative Officer and*

*Corporate Secretary*

Larry D. Cannon

Dear Valued Community Leader,

Congratulations on achieving Gold recognition in the American Heart Association's 2026 Well-being Works Better™ Scorecard. Your organization has shown an outstanding commitment to creating a workplace culture where health and well-being are prioritized and every employee is empowered to reach their full potential.

By taking bold steps to build healthier workplaces, organizations like yours are shaping a future where people and performance flourish side by side. This achievement reflects your vision and dedication to making health a cornerstone of organizational success.

I encourage you to share this accomplishment with your network and community—it's a powerful example of what's possible when well-being comes first. Thank you for being a relentless force for a world of longer, healthier lives.

With heart,

A handwritten signature in black ink that reads "Nancy Brown".

Nancy Brown  
Chief Executive Officer  
American Heart Association

### **Well-being Works Better™ Scorecard Recognition User Guidelines**

Congratulations on being recognized for your participation in the American Heart Association’s 2026 Well-being Works Better Scorecard! We applaud your commitment to creating a culture of health and well-being. We encourage you to share this achievement using the below recognition guidelines and the materials in your recognition toolkit.

The purpose of the Well-being Works Better Scorecard recognition program is only to recognize companies meeting criteria predefined by the American Heart Association for efforts to implement quality workforce health and well-being best practices. A company is not permitted to state or imply--directly or indirectly—that the American Heart Association endorses that company or any company product, process, service or enterprise.

A maximum of 138 points were possible for the completion of the Scorecard. Each organization’s total score and recognition was solely based on responses to the 46 best-practice questions.

### **Explaining Your Workforce Well-being Scorecard Recognition:**

The following approved descriptions are to be used to describe your recognition in materials developed by your organization.

#### **Platinum Recognition**

“The American Heart Association has defined best practices for employers to use to build a culture of health and well-being for their workforce. The American Heart Association’s Workforce Well-being Scorecard measures the extent to which the company has implemented those best practices. Companies recognized at the Platinum level have achieved a score of 129 - 138 out of a maximum 138 points.”



#### **Gold Recognition**

“The American Heart Association has defined best practices for employers to use to build a culture of health and well-being for their workforce. The American Heart Association’s



Workforce Well-being Scorecard measures the extent to which the company has implemented those best practices. Companies recognized at the Gold level have achieved a score of 109 - 128 out of a maximum 138 points.



### **Silver Recognition**

“The American Heart Association has defined best practices for employers to use to build a culture of health and well-being for their workforce. The American Heart Association’s Workforce Well-being Scorecard measures the extent to which the company has implemented those best practices. Companies recognized at the Silver level have achieved a score of 83 - 108 out of a maximum 138 points.”



### **Bronze Recognition**

“The American Heart Association has defined best practices for employers to use to build a culture of health and well-being for their workforce. The American Heart Association’s Workforce Well-being Scorecard measures the extent to which the company has implemented those best practices. Companies recognized at the Bronze level have achieved a score of 55 – 82 out of a maximum 138 points.”





## **Usage Guidelines:**

### Use of American Heart Association Name and Logo

- Participants in the Well-being Works Better Scorecard may not use the American Heart Association heart and torch logo by itself on any materials, including digital materials. The American Heart Association name may be used in text only if approved by the American Heart Association, prior to use. To request approval, email [workforce@heart.org](mailto:workforce@heart.org).
- The locked Well-being Works Better Scorecard Recognition name and American Heart Association name and logo may only be used by an organization when using the clarifying language in the section above titled “Explaining Your Workforce Health achievement recognition.” Where space is limited, an organization’s use of the recognition icon must be accompanied by the following statement of relationship: o [XYZ Company] is proud to have met American Heart Association criteria for [insert Platinum, Gold, Silver, Bronze] recognition in the Association’s Well-being Works Better Scorecard. See [www.heart.org/workforce](http://www.heart.org/workforce) for more information.
- Use of the locked Well-being Works Better Scorecard Recognition name and the American Heart Association name/logo cannot be used in any materials where a company implies that it is superior to another or in a manner that may imply an American Heart Association endorsement or recommendation of the company and/or its services.
- Icons include a notation of the year the award was given. Organizations may use them for no longer than 12 months following the American Heart Association’s announcement of recognition levels.
- The Well-being Works Better Scorecard Recognition name or American Heart Association name/logo cannot be used—alone or together—in any billing statement, invoices, price lists, on product packaging, or other documents related to business-related products, services, or fees.

### **Recognition Icons**

- Recognition icons have been developed to help organizations publicize their achievement. An organization may only use the icon that is applicable to their actual achievement level. Icon use is subject to verification.
- The Well-being Works Better Scorecard Recognition icon design are trademarks of the American Heart Association Inc. Any use or reproduction of these marks without the express, prior written consent of the AHA is strictly prohibited.



- The icon must be used in its entirety. Elements of the icon may not be used independent of each other.
- Use the appropriate icon.
  - The American Heart Association recommends using the full color version of the icon wherever possible. When producing a printed piece, the CMYK (four-color process) version should be used. Add a white box to frame the icon for use on colored surfaces, if necessary.
  - When using the icon, the vertical height of the American Heart Association signature must be 3/8” or taller, measured from the top of the capital “A” in American to the point at the bottom of the heart and torch symbol. There are no exceptions.
  - Other than scale alteration, the icon cannot be tampered with or altered in any way.
- Allow for areas of non-interference.
  - The area of non-interference around the recognition icon should equal one-quarter inch to ensure that the icon is clearly visible in all presentations. This area is to be applied to all version of the icon.

### **Media Inquiries:**

All media inquiries about the program or the American Heart Association resulting from media outlets outside of the company’s local market must be forwarded to local American Heart Association communications staff. Contact Jennifer Keeler, [Jennifer.keeler@heart.org](mailto:Jennifer.keeler@heart.org) or AHACommunications@heart.org.

### **American Heart Association**

7272 Greenville Ave.  
Dallas, TX. 75231

### **Web-linking Policy:**

Companies being recognized may use the appropriate recognition icon on their website. Use of the recognition icon MUST include a link back to the Well-being Works Better website: [www.wellbeingworksbetter.org](http://www.wellbeingworksbetter.org). The link must be included in the statement of relationship or tagline, which accompanies all uses of the icon.

### **Guidelines for linking to American Heart Association webpages:**



1. The American Heart Association does NOT endorse companies, products or services, and strictly prohibits any suggestion of endorsement, recommendation, or superiority of one company, product, or service over another company, product, or service.
2. The American Heart Association does not allow framing of its website(s). When setting up a link to American Heart Association websites, the site should open in a new web browser window rather than displaying the pages in a frame of the linking site's web template.
3. Links to the American Heart Association website can only be text links.
4. The recognition icon may not be used as a link.
5. The American Heart Association stylized logo cannot be used as a link.
6. The American Heart Association logo cannot be shown on your site.

The American Heart Association linking policy in its entirety can be found on the home page of [www.heart.org](http://www.heart.org).

**Public Recognition:**

Employers who have granted permission to share their Scorecard recognition status will be listed in National Business Publication based on achievement level. Employers will also be listed on the Well-being Works Better website at [www.wellbeingworksbetter.org](http://www.wellbeingworksbetter.org) upon the end of the cycle.

If you have questions regarding marketing, advertising, public relations, or promotion of the Well-being Works Better program, please contact the American Heart Association at [workforce@heart.org](mailto:workforce@heart.org).