

**RESOLUTION 2026-15**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
BEAUMONT-CHERRY VALLEY WATER DISTRICT AMENDING  
THE DISTRICT'S POLICIES AND PROCEDURES MANUAL**

**WHEREAS**, on March 18, 2009 the Board of Directors of the Beaumont-Cherry Valley Water District adopted Resolution 2009-05, establishing a Policies and Procedures Manual applicable to Board of Directors and District staff; and

**WHEREAS**, upon review and discussion, the Personnel Committee of the Board of Directors recommended revision of Policy 3225 to the Policy and Procedures Manual; and

**WHEREAS**, the Board of Directors has reviewed and considered the subject policies attached hereto and listed below, finds the revised policies relevant and acceptable, and it to be in the best interests of the District that the following actions be taken,

**NOW THEREFORE, BE IT RESOLVED** by the Board of Directors of the Beaumont-Cherry Valley Water District that the BCVWD Policies and Procedures Manual is revised as follows:

Policy 3225 is replaced in entirety with the revised Policy 3225 Employee Leave Donation Program and Policy attached herewith as Exhibit A.

**ADOPTED** this 10<sup>TH</sup> day of JUNE, 2026, by the following vote:

AYES: HOFFMAN, SLAWSON, WILLIAMS

NOES:

ABSTAIN:

ABSENT: CONINGTON, RAMIREZ

ATTEST:



Director Lona Williams, President of the  
Board of Directors of the  
Beaumont-Cherry Valley Water District



Director David Hoffman, Secretary to the  
Board of Directors of the  
Beaumont-Cherry Valley Water District

Attachment: Exhibit A – Policy 3225

## EXHIBIT A

**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 six (6) 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.
- 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**

- 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 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.