

# ALLEN COUNTY CODE TITLE 1 GENERAL PROVISIONS

## ARTICLE 16 VACATION BANK

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### **1-16-1 Chapter 1: Establishment of Bank**

#### **1-16-1-1**

There is hereby establishment within each department or office which submits a separate budget to the Allen County Council, a vacation leave bank which shall be administered by the appropriate officer or employee of said office or department. The purpose of the vacation leave bank is to allow employees of said office or department to contribute unused vacation days to another employee or member of the office or department (the "Beneficiary") when because of unusual circumstances beyond the control of the Beneficiary, the Beneficiary must be off work in what would otherwise be deemed an excusable absence, and said Beneficiary is otherwise ineligible to receive paid time off.

#### **1-16-1-2 Elected Official/Department Approval**

The program authorized hereby shall not be established in any office or department without the written approval of the elected official or department head as appropriate. The elected official or department head may limit the applicability of the program to distinguishable classes of employees within the department if he or she so desires. Nothing contained herein shall be deemed to require the elected official or department head to continue the plan if established.

#### **1-16-1-3 Eligibility**

To be eligible for payment from the vacation bank, the designated Beneficiary must be approved by his elected official and/or department head and the Board of Commissioners. The facts and circumstances giving rise to the request for use of the bank shall be fully set forth in the request to the Commissioners. Once established, the plan shall be administered as follows:

- a. Upon approval, the Beneficiary shall have a vacation bank set up in his or her name. Employees of Allen County may contribute vacation days to said Beneficiary's bank. Contributions shall be immediately reported to the Allen County Auditor's Office for appropriate notation. Once contributed, an employee forfeits the right to have their donated vacation days returned to them if not utilized by Beneficiary.
- b. The Beneficiary may not begin to utilize contributed vacation days from the bank until his or her allotment of benefit time (i.e. vacation days, personal days, and floating holidays) has been exhausted.
- c. A vacation bank having been established for a Beneficiary shall become inactive at the Beneficiary's next employment anniversary and unused donated vacation days are relinquished.

- d. The Beneficiary shall receive compensation at his or her regular rate of pay, and not the rate of pay of the contributing employee.
- e. For the purposes of FLMA and other programs, except forfeiture at anniversary date, payment under this program shall be treated, taken and administered as vacation days are treated, taken and administered.
- f. If for any reason the Beneficiary does not utilize all of the donated days in the vacation bank, the balance of the bank set up in his or her name will be forfeited.

#### **1-16-1-4 Effective Date**

This Ordinance shall become effective upon the date of its passage.

*This Ordinance approved by the Board of Commissioners of the county of Allen this 3<sup>rd</sup> day of September 1998.*

*Ordinance amended on January 21, 2011 by ordinance #01-21-11-01*