



## DEPARTMENT OF EMPLOYEE RELATIONS

*Revised: 6/20/2022*

### **Accrued Time-Off Donor Program Guidelines**

1. Milwaukee Code of Ordinances Section 350-45 authorizes the Department of Employee Relations (DER) to administer the Accrued Time-Off Donor Program (ATODP) to assist City of Milwaukee employees who have exhausted all paid leave, when the employee or an immediate family member is suffering from a serious health condition as defined by state and federal Family and Medical Leave Acts (FMLA), as certified by a physician. Immediate family means as spouse, registered domestic partner as provided in s. 350-245, child or step-child. Employees desiring to receive donations of time must submit an Application for the Accrued Time-Off Donor Program to the DER.
2. The employee or his/her authorized agent is responsible for completing the application and obtaining a physician's statement or FMLA medical certification, certifying that the employee or the employee's immediate family member meets the Program's medical requirements of a serious health condition. The completed application and the physician's statement or FMLA medical certification are to be returned to the Leave Administration Coordinator at the Department of Employee Relations.
3. The City of Milwaukee reserves the right to require the employee to obtain at his or her own expense, if not covered or authorized by the employee's group insurance carrier, a second opinion from a physician of the employee's selection as to the nature of the physician's diagnosis and prognosis contained in the physician's statement.
4. No determination regarding eligibility to receive donated time shall be made until DER has reviewed and approved the physician's statement or completed certification form certifying that the employee or the employee's immediate family member is suffering from a serious health condition. DER will also confirm that the employee has exhausted all of his or her accrued time off. The decision of the Department of Employee Relations with respect to eligibility shall be final.
5. Employees approved to participate in the Program and receive donations of time will be notified by the DER. The maximum permissible donation is 2,080 hours per illness.
6. Employees shall be permitted to donate whole-hour increments of accrued vacation/TVA hours, compensatory time or holiday off days to a qualified employee who has been approved as a participant in the ATODP. Employees shall not be permitted to donate sick leave hours or any other accrued time off not already specified or to donate hours that would result in a negative balance of hours.

7. Employees wishing to donate time will be credited to a special account established by the City of Milwaukee for the purpose of the Accrued Time-Off Donor Program. In the event that the Program participant does not utilize the entire donation, any remaining balance shall revert to the City of Milwaukee. Donated time may only be used to cover absences during the period that Program participation is in effect.
8. Pay code **943** must be used in the time entry for usage of the donated time. Payments received under this Program are considered other income and under the IRS guidelines, also to be included in the employee's W-2 reporting. Employees are reminded to review their income tax withholdings and adjust them if necessary.
9. Employees utilizing donor time must submit to their department a completed request to use donor leave form for each block of time in which they utilize continuous donor leave and for each pay period in which they utilize donor leave on an intermittent basis.
10. Employees receiving donations of time as a Program participant may request, in writing, to be notified of the names of employees who donate time.
11. DER will request quarterly updates on an employee's continued eligibility for participation in the program when an employee is not off of work on a continuous basis.
12. Program participation will be terminated as soon as the employee or the employee's family member is no longer being treated for the illness.
13. Contact the ATODP Administrator with any questions:

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