



VILLAGE OF CORRALES

ORDINANCE NO. 15-09

AN ORDINANCE AMENDING SECTION 28-237 (SICK LEAVE) OF THE CODE OF ORDINANCES OF THE VILLAGE, REVISING THE RULES RELATING TO DONATION OF LEAVE TO BE CONSISTENT WITH NEW MEXICO LAWS 2015, CHAPTER 81.

WHEREAS, the Village of Corrales since 1993 has permitted employees with unused sick leave to donate such leave, on an hour for hour basis, for use by another employee who has inadequate leave to address a medical emergency, as provided in Subsection 28-237(l) of the Village's Code of Ordinances; and

WHEREAS, House Bill 403 of the 2015 regular session of the New Mexico legislature, enacted and chaptered as New Mexico Laws 2015, Chapter 81, requires that local public bodies including the Village provide for the donation of either sick leave or annual leave to other employees under such circumstances; requires a provision that employees donating leave shall maintain a certain minimum amount of leave before making such a donation; requires that the leave donated be based on value rather than hours, taking into account the hourly pay rates of the donor and the donee; and includes additional procedural requirements; and

WHEREAS, the Village Council, the governing body of the Village, finds that the leave donation policies of the Village should be amended to conform to the requirements of House Bill 403.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Village of Corrales, New Mexico, that Subsection 28-237(l) (Sick Leave) of the Code of Ordinances of the Village of Corrales, being a part of Section 10(6) of Ordinance No. 251, adopted March 9, 1993, is amended to read as follows:

(l) An employee who has used all accrued sick leave may use accrued annual leave for sick leave purposes until paid leave is exhausted. Employees may voluntarily donate any amount of their unused sick or accrued vacation leave to another employee who has used all of his or her sick and vacation leave to avoid leave without pay for the absent employee, provided that the donating employee shall maintain a minimum balance of at least 120 hours of sick and vacation leave combined. The hours donated will be converted to hours made available to the recipient on an equal value basis, based on the hourly rates of pay of the donor and the recipient. The donating of sick and vacation leave will be authorized by the Village Administrator only upon written application by the employee requesting donation, after the employee uses up all of his or her

sick and vacation hours and has provided a certified document by a health care provider that describes the nature, severity, and anticipated duration of the emergency medical condition of the employee and that includes a statement that the employee is unable to work all or a portion of his or her work hours. Subsequent approved absences for an employee who has used all donated leave will be leave without pay. If a recipient of donated leave returns to work after the medical emergency without using all donated leave, the unused leave shall be returned to the donating employees on a prorated basis.

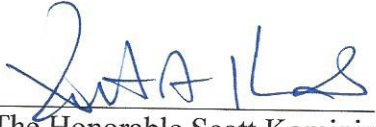
SEVERABILITY CLAUSE: Should any section, paragraph, clause or provision of this Ordinance be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance. The Governing Body of the Village of Corrales hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, word or phrase thereof irrespective of any one or more sections, subsections, sentences, clauses, words or phrases being declared unconstitutional or otherwise invalid.

COMPILING CLAUSE: This Ordinance shall be incorporated in and compiled as a part of the Code of Ordinances of the Village of Corrales.

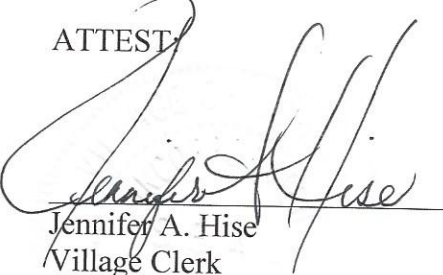
EFFECTIVE DATE AND PUBLICATION: This Ordinance shall become effective and be in full force and effect from and after its passage, publication and posting, according to law.

PASSED, APPROVED AND ADOPTED by the Governing Body of the Village of Corrales, New Mexico, this 21st day of July, 2015.

APPROVED:


The Honorable Scott Kominiak
Mayor, Village of Corrales

ATTEST


Jennifer A. Hise
Village Clerk