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WHEREAS, with the expiration of the Agreement, a provision which allowed for sworn members of the Austin Police Department (APD) to donate sick leave to another sworn member whose accrued leave balance was exhausted also expired; and

WHEREAS, the Council believes that while a new agreement is being negotiated, a donated sick leave bank should be available to an APD officer who is suffering from a serious illness or injury, as defined by the Family and Medical Leave Act; **NOW, THEREFORE**,

The City Manager is directed to temporarily reinstate a donated sick leave bank for sworn members of APD to be effective as of the date of this Resolution, and including the following components:

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23 2. No officer shall be permitted to bank more than four hundred (400) hours
24 of such donated leave within any twelve (12) month period of time.

25 3. Donated leave may only be used for the officer to whom it is donated.

26 4. In the event that all of the donated leave time is not used, the City shall not
27 be obligated to make any redistribution of banked hours to the donors. The
28 remaining unused donated amount shall not be paid to the officer to whom it was
29 donated on separation of employment with the City.

30 5. Upon ratification of a meet and confer agreement between the city and the
31 APA, any unused hours donated pursuant to this Resolution shall expire, shall not
32 be redistributed to the donors, and shall not be paid to the officer to whom they were
33 donated, unless otherwise provided in such agreement.

34 **BE IT FURTHER RESOLVED:**

35 This Resolution shall expire as of the effective date of any future meet and
36 confer agreement between the City and the APA, regardless of whether such
37 agreement contains a donated sick leave provision.

38
39 **ADOPTED:** _____, 2018 **ATTEST:** _____
40 Jannette S. Goodall
41 City Clerk