

UTAH TRANSIT AUTHORITY POLICY

No. UTA.05.05

HARDSHIP RECOGNITION

1) Purpose.

UTA recognizes the value of the relationships built between employees, their peers, and management. UTA would like to recognize the hardships associated with death or serious illness through a tangible show of support. It's important this recognition is applied equitably across the organization, which is the purpose of this policy.

2) Definitions.

"Bereavement" means the period of grief experienced with loss. For the sake of this policy, Bereavement will be limited to mean the death of an eligible loved one or family member.

"Bereavement Leave" means time off work to focus on personal and family obligations associated with Bereavement.

"De minimis Value" means an amount set by UTA for tangible items that are occasional or unusual in frequency. Under IRS guidelines, items with a value of \$100 or greater must be taxed.

"Serious Illness" means an illness, injury, impairment, or physical or mental condition which requires overnight hospitalization (including prenatal care), including the period of incapacity or subsequent treatment in connection with the overnight care.

"Tangible Gift" is a gift with a value low enough and with infrequency enough so as to make accounting for it unreasonable. Tangible gifts under a specified value constitute a De Minimis Fringe benefit, which is excluded from IRS Code §132(a)(4). For the purposes of this policy, the allowable value of a tangible gift is up to \$99.

"RGM/Director/Chief" means Regional General Manager, Director, or Chief who exists in the employee's chain of command and is of sufficient leadership level to determine the applicability of this policy.

"UTA" means Utah Transit Authority.

3) Policy.

A. Eligibility

1. Bereavement

Eligibility will be based on the UTA policy on Bereavement Leave and any Collective Bargaining Agreement.

2. Serious Illness

The employee's manager or supervisor will determine if the condition experienced by an employee meets the criteria for eligibility under this policy. Factors below may be used to guide this decision, but in cases where this is unclear, The cognizant RGM/Director/Chief will provide a final decision.

- a. Hospital Stay – a new, non-chronic condition that requires the employee to spend one or more nights in a clinical setting under the care of a nurse or physician.
- b. Incapacity – the time when an employee is unable to work, attend school, or perform other regular daily activities due to a serious health condition, treatment therefore, or recovery therefrom.

B. Limitations

26 USC §132 permits an employer to give employees gifts of nominal value on a tax-free basis. UTA has designated the maximum value for hardship recognition as ≤\$99 per the Taxation of Awards, Prizes, and Gifts policy.

1. Tangible Gift

- a. A Tangible Gift is a gift that has a physical presence and can be touched. Examples include electronics, clothing, jewelry, flowers/plants, physical awards, etc.
- b. Gift cards and certificates are not allowed under this policy.
- c. The department admin or member of management with a PCard may procure a gift in kind not to exceed \$99 in value.

C. Recognition

1. Once a supervisor or manager is aware of a qualifying condition, they are encouraged to communicate with the affected employee to offer sympathy and ask if they are comfortable receiving a gift from their department.
 1. If the supervisor or manager is not sure if the employee's condition qualifies, they may seek further assistance from the appropriate RGM/Director/Chief.
 2. It's important to recognize each employee's preference for recognition. If an employee expresses they would prefer not to receive a gift, a sympathy card expressing support can be provided to the employee. If an employee expresses disinterest in recognition, please honor their wishes.

4) Cross-References.

- Corporate Policy 6.1.12 – Leaves of Absence
- Corporate Policy 3.1.14 – Taxation of Awards, Prizes, and Gifts
- UTA.05.02 – Paid Time Off – Administrative Employees
- 26 USC §132 – Certain Fringe Benefits
- Any Collective Bargaining Agreement with UTA

This UTA Policy was reviewed by UTA's Chief Officers on 10/05/2022, approved by the Board of Trustees on 12/21/2022 and approved by the Executive Director on 12/21/2022. This policy takes effect on the latter date.

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Kim Shanklin, Chief People Officer
Accountable Executive

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Jay Fox
Executive Director

Approved as to form and content:

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Counsel for the Authority

History

Date	Action	Owner
12/21/2022	Board Approved – UTA.05.05 – Hardship Recognition	Chief People Officer
12/21/2022	Adopted – UTA.05.05 – Hardship Recognition	Chief People Officer