
**STOREY COUNTY ADMINISTRATIVE
POLICIES AND PROCEDURES**

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AUTHORITY: BOC
COUNTY MANAGER: AO

SUBJECT: SICK LEAVE

I. Purpose:

To establish a policy for granting leave of absence time to county employees.

II. Policy:

A leave of absence may be granted to an employee due to extended personal or family illness or an uncontrollable or personal demand of the employee's time.

2.1 Accrual and Use of Sick Leave

2.1.1 Accrual of Sick Leave

The employer expects each employee to be available for work on a regular and reliable basis. The employer will monitor attendance and leave use whether or not the employee has accumulated leave balances remaining in his/her Sick Leave account.

- a. All eligible full-time and part-time (working an average of 20 hours or more per week) employees will accrue Sick Leave at the rate of 0.0577 hours per each regularly scheduled hour worked or on paid status. Sick Leave is not accrued for any other hours.
- b. All eligible full-time and part-time (working an average of 20 hours or more per week) employees are eligible to take accrued sick leave time off after 60 days of employment. The eligible employees will be credited with the equivalent of 60 days of earned Sick Leave at the appropriate accrued rate at the end of 60 days of employment. Exceptions to this section in Layoffs and Reinstatement Policy 802 apply. Other exceptions may be made under extenuating circumstances with approval of the department head and the HR Director.
- c. Sick Leave hours are earned and credited to the employee on a biweekly basis, coinciding with pay periods.
- d. Sick Leave shall be charged on the basis of actual time used to the nearest one-quarter (1/4) hours.

- e. Unused Sick Leave will be credited to the employee's Sick Leave balance to a maximum accrual of 960 hours. Sick Leave accrual will cease when the employee's total year-end (calendar year) balance reaches 960 hours, until the balance falls below 960 hours.
- f. Holidays occurring during Sick Leave periods shall be counted as Holidays, not Sick Leave.

2.1.2 Use of Sick Leave

Sick Leave is for use in situations in which the employee must be absent from work due to:

- a. His/her own physical illness or injury;
- b. His/her own exposure to contagious diseases or when attendance at work is prevented by public health requirements;
- c. The need to care for an ill or injured dependent child, spouse or domestic partner, parent, or any other legal dependent who is dependent upon the employee for support;
- d. Medical or dental appointments for the employee, provided that the employee makes a reasonable effort to schedule such appointments at times which have the least interference with the workday;
- e. Any disability, including disability caused or contributed to by pregnancy, miscarriage, abortion, or childbirth;
- f. Death of the employee's spouse or domestic partner, children, parents, siblings, grandparents, grandchildren, parents-in-law, siblings-in-law, or other legal dependents; however, the automatic granting of Sick Leave for this situation shall be limited to five working days, which may be extended upon the recommendation of the department head and approval of the HR Director.

Employees who are absent from work due to Sick Leave shall be at their residence, a medical facility, their doctor's office, or shall notify their supervisor of their whereabouts when using Sick Leave.

2.1.3 Abuse of sick leave

Use of Sick Leave for purposes other than those listed in section 2.1.2 above is considered abuse of Sick Leave. Abuse of Sick Leave is cause for disciplinary action, up to and including termination. If the employer suspects abuse, it may require substantiating evidence which may include, but is not limited to, a certificate from a healthcare provider.

2.1.4 Illness during Annual Leave

If an employee on annual leave suffers an illness or injury which requires medical treatment from a licensed physician or health practitioner, s/he may elect to charge that time to his/her accumulated Sick Leave provided that the employee furnishes the employer with a certificate issued by the licensed physician or health practitioner providing treatment.

2.1.5 Placing an employee on Sick Leave

An employer may place an employee on Sick Leave if s/he has an illness that appears to be contagious, or due to a known or suspected illness or injury the employee is not able to perform the essential functions of their position with or without reasonable accommodation.

Only under the following conditions may an employee be advanced use of sick leave:

1. The employee does not have sufficient time in their sick leave balance, and
2. The employee has been placed on sick leave by the employer or a health official during a declared pandemic, and
3. The employee will be advanced no more than 80 hours of sick leave, and
4. The employee will pay back the advanced sick leave as they earn it during the subsequent pay periods. If the employee terminates service before the leave is paid back the balance will be deducted from their final paycheck.

2.1.6 Return to work

An employee on Sick Leave shall notify his/her supervisor as soon as the employee is able to return to work. An employee returning from an extended absence shall give as much advance notice of return as possible.

- a. The HR Director may require a statement from a licensed physician or health practitioner certifying the employee's fitness to return to work (fit-for-duty) when an employee has been absent from work for three contiguous workdays or longer.
- b. An employee requesting Sick Leave lasting longer than three contiguous workdays may be required to provide the department head or supervisor with acceptable evidence to substantiate the request.

2.1.7 Sick Leave alternative

If an employee does not have adequate accrued Sick Leave time, the employee may be granted the use of Annual Leave or other accrued leave time for this purpose. In no case, however, may Sick Leave time be used or granted for use as Annual Leave or Vacation time.

Employees may donate their accrued Sick Leave to those employees that do not have adequate accrued Sick Leave as provided for in Policy No. 604 governing Catastrophic Sick Leave.

2.1.8 Sick Leave at separation

Upon separation from employment due to resignation, termination, layoff, retirement, disability, or death, an eligible employee with a total of accrued hours at 360 or more shall receive a one-time recognition

payment based upon the amount of unused Sick Leave remaining in the employee's sick leave account. Compensation for his/her total Sick Leave hours shall be at the following rates and maximums shown in the following table.

Years of Service	Rate of Pay	Maximum Payout
5 but less than 10	12.5 cents on the dollar	\$6,000 Cash OR \$8,000 towards purchase of PERS
10 but less than 15	25 cents on the dollar	\$8,000 Cash OR \$10,000 towards purchase of PERS
15 but less than 20	40 cents on the dollar	\$10,000 Cash OR \$12,000 towards purchase of PERS
20+ years	60 cents on the dollar	\$30,000 Cash OR towards purchase of PERS

2.2 Procedure

2.2.1 Leave Approval

An employee shall complete an appropriate leave request form (Form No. 602F) as soon as the need for leave is known. The department head or supervisor shall determine whether to approve the use of accrued Sick Leave and shall approve such a request whenever it is deemed reasonable.

2.2.2 Notification

Any employee who is ill or unable to report to work for any reason shall notify his/her immediate supervisor no later than 15 minutes following the employee's normal work reporting time. In the event of a continuing illness, the employee shall continue to notify his/her immediate supervisor daily, or at appropriate intervals agreed on by the supervisor, of his/her condition. The employer may deny Sick Leave requests which are not in compliance with this policy.

2.2.3 Doctor's Certification

The employer may require an employee to provide a medical doctor's certification that the illness/injury incapacitated the employee from performing his/her duties, was necessary for the employee to make full and timely recovery or was appropriate to avoid the spread of a contagious disease. The certification will also verify the employee's fitness for return to work (fit-for-duty). A physician's statement is required when specifically requested by the HR Director and when the employee has been on Sick Leave for three or more contiguous days.

2.2.4 FMLA Leave

FMLA leave is not considered Sick Leave. Refer to Policy 605 for all qualified leave under the Family and Medical Leave Act (FMLA).

III. RESPONSIBILITY FOR REVIEW: The County HR Director will review this policy every 5 years or sooner as necessary.