

## **Leave Benefits – Sick**

**Policy Number: 170**

Cottonwood County's sick leave program is intended to ease the financial burdens and provide income to eligible employees who are absent on account of illness or accident of a non-work related nature.

Eight hours of sick leave shall be granted for each calendar month of employment or major fraction thereof, up to a total accumulation of 720 working hours. Additional sick leave may be accumulated under provisions of Policy Number 140 "Catastrophic Sick Leave".

One Hundred Percent (100%) of accrued sick leave benefits shall be paid to an employee upon their retirement from Cottonwood County employment or, in the case of death before retirement, to their estate or beneficiary only. Retirement is defined in Policy Number 705 "Definitions".

In cases of termination of employment other than retirement, except dismissal for cause, employees shall be paid for unused sick leave days at the rate of twenty percent (20%) of the employee's accumulation. Payment shall be based on the current rate of pay at the time of termination.

In cases where an employee must be absent for a medical appointment, vision or dental care appointment, the employee may choose to take that time off without pay or the time may be charged against accumulated sick leave.

Employees claiming sick leave in excess of three days or more than four days per month may be required to file written, signed, medical evidence that they are absent as authorized. If in the opinion of the Department Head the employee's use of sick leave is excessive and not excused by evidence of an ongoing serious health condition, as defined under the Family and Medical Leave Act (FMLA), the Department Head may require the employee to provide a doctor's certificate for each absence. Employees drawing extended sick leave may be required to provide evidence of ability to perform the duties of the job before returning to work, consistent with the provisions of the FMLA.

Employees claiming sick leave when physically fit or when not otherwise eligible for sick leave as stated in this section may be subject to disciplinary action, including loss of sick leave benefits, suspension, demotion or termination of employment.

When sick leave is needed, the employee shall notify their Department Head at the earliest possible time before the start of the scheduled working day.

Sick leave may be used in cases of death, serious illness or injury to the parent, child, spouse, sibling, grandchild, or grandparent of the employee or the employee's spouse, when such employee's presence is necessary or the employee is not otherwise entitled to funeral leave. Any length of time to be taken from sick leave accumulation for these purposes must be approved by the Department Head. To the extent that such would also qualify for leave under the FMLA, the employee shall be required to use sick leave and accrued vacation and personal leave and such leave shall be counted towards the employee's 12 weeks of FMLA annual leave.

When sickness or injury occurs during a period of vacation leave, the period of illness/injury may be charged as sick leave and the time against vacation leave reduced accordingly with Department Head approval. Employees will be required to notify their Department Head immediately if they become ill or injured on vacation leave.

If an employee is receiving Worker's Compensation for a work-related illness or injury, they may, at their option, use sick leave to make up the difference between the Worker's Compensation payment and their regular wage. When their sick leave is exhausted, they will receive Worker's Compensation payments only.

The provision in Policy Number 170 relating to future accumulation of unused sick leave begins January 1992. If there is an absence of adequate records, initial beginning accumulation of employee sick leave shall be four days per year of employment with Cottonwood County, up to a maximum beginning accumulation of sixty days.

Regular part-time and part-time employees shall earn and be entitled to sick leave benefits on a pro rata basis. Temporary, seasonal and clerk hire employees shall not earn nor be entitled to sick leave benefits.

All sick leave benefits accruing to an employee may be transferred from one department to another.

Any payments made pursuant to this section shall be considered severance pay.

Pursuant to the Family and Medical Leave Act, Cottonwood County shall require employees to exhaust all accumulated sick leave during FMLA leave.

#### **Sick or Injured Child Care Leave**

An employee may use personal sick leave benefits due to the illness or injury of the employee's child, for such reasonable periods as may be necessary for the employee to care for the child, on the same terms the employee is able to use sick leave benefits for his or her own illness or injury.

For the purposes of sick or injured child care leave, "child" is defined as an individual 18 years of age or younger or an individual under the age of 20 who is still attending a secondary school.

Employees may use sick leave to care for a seriously ill or injured adult child as provided in Policy Number 145.

#### **Sick Leave Donation Policy**

When an employee has a life threatening illness and has exhausted all of his or her sick leave, vacation leave and catastrophic sick leave accruals, fellow employees shall be allowed, at their discretion, to donate any number of hours from their sick leave accumulation to the employee in need.

Once an employee has exhausted all his or her sick leave, vacation leave and catastrophic sick leave accruals, the employee shall notify the supervisor of the need for sick leave donations. The supervisor shall then present this to the Cottonwood County Board of Commissioners for approval as a catastrophic illness. After this approval, the supervisor shall post a notification to all employees of the county of the need for sick leave donations. Fellow employees may donate sick leave from their sick leave accruals at their discretion.

For accounting purposes, sick leave hours shall be donated on an hour for hour basis. The ill employee will receive the donation regardless of the pay scale of the donor or the recipient.

(Contact Department Head for appropriate forms)