

**Subject:**                **SICK LEAVE**

**Date:**                 **August 10, 2016**

**Pages:**                **1 of 4**

**Replaces Policy Dated: September 1, 2010**

**PURPOSE:** To establish a procedure for the use of sick leave by Pinal County employees. Sick leave is a privilege and not an entitlement, and is to be used in case of actual illness or injury suffered by an employee or immediate family member. Sick leave may be used for:

1. Physical or mental illness;
2. Injury;
3. Medical, mental, or dental care;
4. Maternity or paternity immediately preceding birth or immediately following birth or adoption of a child;
5. Exposure to contagious disease and possible endangering of others by attendance on duty; or
6. Physician or practitioner appointments for employee and members of the immediate family listed below that cannot be scheduled outside of working hours.

**STATEMENT OF POLICY:** Sick Leave is a benefit designed to ensure employees receive salary continuation when they are off the job due to illness. Such leave is intended for use only under specific conditions as set forth in this policy.

1. This Policy applies to all classified and unclassified positions. Nothing in this Policy modifies or waives “at-will” status of an unclassified employee.
2. Employees transferring between County departments or Elected departments, and employees who are promoted will retain accumulated sick leave balances.
3. If a holiday falls within the sick leave, the holiday(s) shall not be charged as sick leave.
4. Sick leave is not accrued during any leave of absence without pay.
5. An employee who has a qualified Workers’ Compensation injury or illness will be required to use accrued sick leave and/or leave balances for the first seven (7) calendar days of their absence until they have exceeded 14 calendar days. Once an employee has reached the 14th day of absence, the first 7 days will be reimbursed to their sick leave balance.
6. Any employee approved and scheduled for annual leave that becomes ill, may, with the approval of the Department Head, charge the illness to accumulated sick leave rather than annual leave.

**SCOPE:** All full-time Pinal County employees, except Elected Officials, are eligible to earn sick leave for each hour in a paid status. Part-time, temporary, and seasonal employees do not earn sick leave.

**PROCEDURE:** For the purposes of this policy, immediate family is defined as: the employee’s mother, father, spouse, domestic partner, child, sibling, in-laws, grandparents, and grandchildren, or person who resides with the employee or for certain approved related purposes below. For the purposes of this policy references to child, brother, or sister will include those that are either adopted, step or in-law.

**SICK LEAVE EARNING SCHEDULE**

13 days per year (104 hours total)

Rate/Hour	Hours/Day	Hours/Pay Period
.05	.4	4.0

1. When feasible, the employee will schedule sick leave absences as far in advance as possible to ensure business continuity.
2. An employee who is absent for illness or injury for more than three (3) consecutive days may be required to provide a medical release prior to returning to work. Such evidence may include, but is not limited to, a certificate from a designated physician or practitioner, and/or an examination by a designated physician or practitioner.
3. Human Resources may disapprove the request for sick leave if such documentation is not adequate or if the designated physician determines that the request for sick leave is not a valid request.
4. An employee may be required to furnish a medical release issued by a licensed healthcare provider justifying the employee’s absence.
5. If an employee returns to work after an absence exceeding five (5) working days for their own illness or injury, the employee must provide a licensed healthcare provider medical release prior to returning to normal duties.
6. The County may request a signed medical release from the employee in order to contact the attending healthcare provider for clarification of a work release involving, but not limited to, physical restrictions, length of time physical restrictions will be necessary, or any other appropriate inquiries to assess the employee’s ability to perform the essential functions of their job on a temporary or permanent basis.

Employees are expected to maintain a high level of communication with their supervisor when they are off the job due to illness. Because operational needs vary among Departments, each Department Appointing Authority may establish the amount of notice an employee is to provide when they are ill and unable to report to work. Sick Leave in excess of five (5) consecutive working days will first be considered as Family Medical Leave (FMLA). If the employee’s return to work date is not known and/or is not imminent, the employee will be required to furnish written physician verification of illness in accordance with the provisions of the Family Medical Leave Policy 7.40. The Appointing Authority will provide provisional acceptance of Family Medical Leave, pending receipt of the required physician statement. Upon receipt of such verification, the Appointing Authority will make a final determination as to whether the illness meets the criteria for consideration as FMLA. In the event the illness does not meet

the necessary criteria, it will be considered as sick leave. Failure to provide the required physician documentation may be grounds for denial of payment of sick leave.

## **NOTIFICATION**

It is important where feasible, that employees exercising their sick time notify their fellow employees and the public they serve when they are out due to illness for an extended period and who may be contacted in their absence.

## **SICK LEAVE ABUSE**

Employees are permitted to use sick leave only for the purposes stated above. Supervisors and managers are encouraged to seek appropriate documentation from employees when they suspect that an employee is using sick time at an inordinately high rate or for purposes other than those listed above. Supervisors and managers should also review the sick time usage of their staff to determine if there are patterns such as an excessive amount of sick time occurring on the days before or after a weekend, or holidays. If such patterns are evident supervisors should counsel those employees and make them aware of these findings and review their responsibilities under the sick leave policy.

## **ILLNESS ON THE JOB**

In an effort to contain the spread of contagions, a supervisor or manager who observes an employee reporting to work or at work that displays symptoms of an influenza-like illness during a pandemic or an illness serious enough to pose a direct threat to others is to immediately advise the employee that he/she is not permitted to remain at work and the employee shall be sent home. Employees sent home under this provision that do not have any accrued sick time may use vacation or compensatory time, if available. In the event that the employee has exhausted all of his/her accrued time the time off will be categorized as unpaid.

## **SICK LEAVE ROLLOVER**

An employee who is employed and uses no sick leave during the full twelve-month period from January 1st through December 31st, may have up to five days automatically deducted from his/her sick leave balance and transferred to vacation leave at the end of the pay period in which December 31st falls. If less than five days sick leave is taken during such a period then the difference between the number of days taken and the five days will be automatically transferred to vacation leave. If five or more sick days are taken in the period, then no transfer will take place. These transfers are automatic, unless the employee requests in writing at least 30 days prior that the transfer not take place. There are two restrictions to this rollover provision.

1. The vacation leave balance must be below the maximum allowable accumulation in order to accommodate the transfer on December 31st. If the employee's vacation leave balance is at the maximum allowable, no sick leave transfer to vacation will take place.
2. Transfer of sick time to vacation will only be made for sick time accruals in excess of 80 hours. Each employee must have a minimum sick leave balance of 80 hours remaining after the transfer takes place.

Payment will not be made for any unearned sick leave. Sick leave is not earned for hours in excess of 40 hours per week. An employee who transfers from one County department to another shall retain any accumulated sick leave. **Employees who resign from County service will not be paid for any accrued unused sick leave they may have.**

## **RETIREMENT**

Employees exercising any of the retirement options available under the Public Safety, Corrections Officer, or the Arizona State Retirement System may have a portion of accumulated unused sick leave hours transferred to vacation and added to a terminal vacation period without limitation according to the following schedule:

<u>Separation after Consecutive years of Pinal County Service</u>	<u>Percent of Accumulated Unused Sick Leave Hours to Transfer to Terminal Vacation</u>
5	10%
10	20%
15	30%
20	40%
21 or more	50%

## **PERIODS OF PROLONGED DISABILITY**

Employees experiencing periods of prolonged disability, during which all leave accruals have been exhausted are eligible for Leave Without Pay per Pinal County Policy and Procedure 7.65 –Leaves of Absence Without Pay. Employees on unpaid leave must bear the entire cost and remit both the employee and County portions of the healthcare premiums to the Pinal County Benefit Plan on a monthly basis. Employees are encouraged to participate in the interactive process under Pinal County Policy and Procedure 6.50 - Reasonable Accommodation. Employees who need additional unpaid leave time will be evaluated on a case-by-case basis so as not to create an undue hardship upon the County.