



## Sick Time

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### 1.0 POLICY

The County of Lee provides sick time benefits to all benefited employees. Sick time benefits are a **privilege, not a right** granted by the County under the conditions stated below.

### 2.0 DEFINITIONS

**2.1 Sick Time:** A pay continuation privilege granted to benefited employees during periods of personal or family illness or injury.

**2.2 Immediate Family:** For the purpose of this policy, immediate family is defined as spouse, mother, father, brother, sister, son, daughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandmother, grandfather, grandmother-in-law, grandfather-in-law, grandson, granddaughter, stepmother, stepfather, stepchild, sister-in-law, and brother-in law.

**2.3 Other Family:** For the purpose of this procedure, other family is defined as aunt, uncle, niece, and nephew.

**[Special Note:** *At the Department Director's discretion, immediate or other family may be construed to include others where the degree of closeness of the relationship to the employee warrants consideration as immediate or other family. Department Directors are encouraged to consult with the Human Resources Director in such cases.*]

**2.4 Benefited Employee:** An employee assigned to a permanently budgeted position designated as full-time (FT) or part-time (PT). Employees assigned to full-time (FT) positions will accrue benefits in the manner described in this policy. Employees assigned to part-time (PT) positions (working at least 20 or more hours a week) will earn sick time on a prorated basis.

**2.5 Paid Hours:** Paid hours for the purpose of this policy is vacation, sick, compensatory time and regular hours.

### 3.0 PROCEDURE / RULE

#### 3.1 Sick Time Accrual:

- A. Sick time shall be accrued by each benefited employee of the County on the 1<sup>st</sup> and 15<sup>th</sup> of each month. In order to earn sick time, an employee must have at least eight (8) paid hours fifteen (15) days prior to the payroll accrual date.
- B. Sick time accrual for the first month of employment starts accruing fifteen (15) days from the date of hire.
- C. Any vacation time balance in excess of 240 hours on December 31<sup>st</sup> of each calendar year will be converted to sick time.
- D. Any new employee, who is employed by the County of Lee in a benefited position and who comes to the County **directly** from a local or state government organization covered by the North Carolina Local Governmental Retirement System (or compatible state administered systems), may have his/her sick time balance transferred to the County.
  - 1. The employee is responsible for requesting the transfer and solely responsible for obtaining a certification of the prior sick time balance from the former employer and submitting it to the Human Resources Department within six (6) months of employment. This certification should include (1) the final unused sick time balance and (2) the dates of covered employment with the other organization.
  - 2. Upon beginning employment with the County and upon receipt of appropriate verification of transferable sick time, the employee will be credited with his/her prior sick time balance at the completion of his/her probationary period with Lee County.

#### 3.2 Proration of Sick Time: Time earned by benefited employees having a workweek with greater or fewer hours than the basic workweek shall be determined in accordance with the following formula:

- A. The number of hours worked by such employees shall be divided by the number of hours in the basic workweek.
- B. The proportion obtained in Step A shall be multiplied by the number of hours of time earned annually by employees working the basic work- week.
- C. As of the effective date of this policy (4/27/2008) employees hired into positions working less than twenty (20) hours will no longer accrue sick time.

### 3.3 When Sick Time May Be Taken:

- A. Sick time is a benefit granted to an employee on account of his/her own sickness or injury. Sick time may also be granted to an employee in the event of the death or serious illness of a member of the immediate or other family (as defined above). Normally, a maximum of three (3) days may be used if it is an immediate family member or two (2) days if it is any other family member. The Department Director may grant additional time for exceptional circumstances.

In extreme life threatening situations or where a major illness requires an immediate family member to be treated outside of the local geographic area where commuting is not possible or where our employee's presence is necessary to provide care, the amount of sick time that can be used may be extended. This shall apply to immediate family members only, must be recommended by the Department Director, and approved by the Human Resources Director.

When an employee uses his/her sick time for an event that is covered under the Family Medical and Leave Act (FMLA), the time that is charged to sick time will reduce the employee's twelve (12) week entitlement under FMLA.

- B. Sick time can be used in fifteen (15) minute increments.
- C. **Employees shall exhaust compensatory time before taking sick time.**
- D. For sickness or bodily injury that prevents the employee from performing his or her regular duties or for time off due to the illness of a spouse, child (including step relationships) or parent. Sick time may not be used to care for healthy children when the regular caregiver is sick.
- E. Required medical or dental appointments for employee, spouse or child under the age of eighteen unless physically or mentally handicapped (including step relationships) or parent.
- F. The actual period of temporary disability, normally six (6) weeks, caused or contributed to by pregnancy, miscarriage, childbirth, or recovery there from. A doctor's certificate is required to verify the employee's period of temporary disability for these reasons.
- G. Exposure to a contagious disease when continuing work might jeopardize the health of others.

- H. The County does not expect an employee to come to work when they are ill, but the employee is always expected to call their supervisor no later than their regular reporting time.
- I. An employee may not use his/her accumulated sick time for an injury by accident or illness sustained while engaged in outside employment.

### 3.4 **Sick Time Accounting:**

- A. Upon an employee's first day back at work after unplanned sick time, a "Time Off Request" covering the absence must be completed for approval.
- B. If an employee becomes sick or injured while out of work on approved vacation time, he/she may not request change of the affected time to sick time, subject to all appropriate rules for approval of sick time and upon presentation of a certificate from his/her physician.
- C. Upon termination, no payment will be made for unused sick time. Employees may not transfer sick time to another employee at termination.
- D. Upon retirement from active service, unused sick time will be used to determine additional retirement credits in accordance with rules of the North Carolina Local Governmental Employees Retirement System. One (1) month of credit is allowed for each twenty (20) days of unused sick time when an employee retires, and one (1) additional month is credited for any part of twenty (20) days unused sick time left over.

3.5 **Documentation of Illness or Disability:** Employees claiming sick time may be required to furnish a certificate from a physician stating the kind and nature of the sickness or injury and that the employee or his child, spouse, or parent has been incapacitated for the period of absence. In the case of an employee who is returning from sick time, the supervisor may ask for confirmation from a physician certifying cure or stating that the employee is again physically able to perform assigned duties. An employee may advise his supervisor regarding necessary restrictions on his work or duties and any necessary accommodations. Circumstances in which a certificate would typically be required are:

- A. Absence from work for a period of three days or more;
- B. Patterns of time use, which may indicate abuse of time privileges;
- C. Conditions which cause reasonable doubts about the employee's capacity to perform his work;

**D.** Absence from work because of a contagious disease.

Where a supervisor has a reason to believe an employee may be abusing sick time privileges, the employee shall first be advised in person that a medical certificate may be required for each subsequent absence for which sick time is requested. If the employee's time pattern does not improve, the employee shall be advised in writing by the supervisor that all subsequent requests for sick time must be supported by a medical certificate.

In those instances where a medical certificate is required, the employee generally will have two days after returning to work to supply the certificate. The employee's refusal to comply may be grounds for denying sick time and for charging the employee with vacation time or leave without pay in accordance with County policy. Claiming sick time when physically fit or other misuse of sick time, shall be cause for disciplinary action.

**4.0 APPENDIX / APPENDICES**

None.