

SICK LEAVE

POLICY: It is the policy of Black Hawk County to grant its non-bargaining employees hired prior to July 1, 2006, paid sick leave when they are medically unable to perform their assigned duties. Such leave may be in conjunction with an FMLA leave in accordance with Section 301 of the *Black Hawk County Employee Handbook*.

SCOPE: This policy applies to all Black Hawk County non-bargaining employees hired prior to July 1, 2006, except for department heads and elected officials and their appointed deputies. Whenever the provisions of this policy are in conflict with federal or state laws or regulations, the provisions of the laws or regulations shall prevail.

ACCUMULATION: Each regular, full-time non-bargaining employee hired prior to July 1, 2006, shall accrue sick leave at the rate of ten (10) hours per month of continuous employment up to a maximum accumulation of 960 hours.

USE OF SICK LEAVE: Accumulated sick leave may be used for any of the following:

- A. Serious or confining illness of the employee.
- B. Contagious or serious illness of a member of the employee's immediate family requiring the employee's presence, up to a maximum of seven (7) days per fiscal year. For this policy, immediate family shall be defined as the employee's spouse, parents, dependent children, or a member of the employee's household.
- C. Medical or dental appointments that cannot be scheduled during non-working hours.
- D. Up to three (3) working days if an employee is unable to work due to a work-related injury or illness.

VERIFICATION: The County reserves the right to require satisfactory proof of illness, which may include a physician's statement or other evidence. Unauthorized use of sick leave will result in loss of pay for the duration of the absence and may be considered grounds for disciplinary action.

NOTIFICATION: When absences due to sickness are necessary, the employee shall notify his/her department head or immediate supervisor prior to the beginning of his/her scheduled reporting time within the time period designated by the department head. Failure to do so without a bona fide reason may result in the employee being considered absent without leave and subject to disciplinary action.

REIMBURSEMENT: Upon termination of employment from Black Hawk County, any sick leave accrued by a non-bargaining employee shall be forfeited except for the following:

Upon termination from County employment in good standing, a non-bargaining employee who has at least five (5) years of continuous full-time employment with Black Hawk County as of June 30, 2006, shall be eligible for sick leave reimbursement as follows:

- A. All regular full-time employees with at least five (5) years but less than ten (10) years of continuous full-time Black Hawk County employment as of June 30, 2006, who terminate in good standing shall be reimbursed for twenty-five percent (25%) of the sick leave they have accumulated as of June 30, 2006. The maximum value of an employee's sick leave shall be determined by the employee's hourly rate of pay and the employee's accumulated sick leave as of June 30, 2006.
- B. All regular full-time employees with ten (10) years or more of continuous full-time Black Hawk County employment as of June 30, 2006, who terminate in good standing shall be reimbursed for fifty percent (50%) of the sick leave they have accumulated as of June 30, 2006. The maximum value of an employee's sick leave shall be determined by the employee's hourly rate of pay and the employee's accumulated sick leave as of June 30, 2006.
- C. For those employees eligible for sick leave reimbursement upon termination in good standing per paragraphs A and B above, the value of their accumulated sick leave at the time of termination may be less than the maximum June 30, 2006 value. If an employee at the time of termination in good standing has fewer hours of sick leave accumulated than the employee had accumulated on June 30, 2006, the hours used to determine the employee's reimbursement shall be the hours the employee has accumulated upon the employee's date of termination. Under no circumstances shall the value of the employee's sick leave reimbursement exceed the maximum value determined on June 30, 2006.

Non-bargaining employees who may be eligible for a sick leave payout hereunder and who are subsequently promoted to a department head or deputy position within the County, shall remain eligible for their sick leave reimbursement as hereinabove provided; however, he/she shall only be eligible upon termination in good standing for reimbursement of either the sick leave hours accumulated as of June 30, 2006, or at the time of promotion to a department head or deputy position, whichever is less.

A bargaining employee who is promoted to a non-bargaining position after July 1, 2006, and who is eligible for a sick leave payout under a collective bargaining agreement or a letter in their personnel file shall remain eligible for such payout in accordance with the terms of said agreement. All provisions of this Sick Leave policy except the Reimbursement section shall apply to a bargaining employee hired prior to July 1, 2006, who is promoted to a non-bargaining position after July 1, 2006.

CONVERSION: Non-bargaining employees hired prior to July 1, 2006, who have accrued the maximum amount of allowable sick leave shall convert an additional thirty (30) hours of sick leave to eight (8) hours of personal/casual leave. These casual hours may be carried over for up to one (1) year. Any accrued sick leave casual days shall be forfeited upon termination of employment.

CATASTROPHIC ILLNESS DONATION: A non-bargaining employee may voluntarily donate accumulated vacation for use as sick leave to a co-worker whose sick leave is exhausted due to catastrophic illness of the employee or the employee's immediate family member. For this policy, an immediate family member shall be defined as the employee's spouse, parents, dependent children, significant other, or a long-term (defined as more than 12 months) member of the employee's primary residence.

Employees may donate vacation hours according to the following provisions:

- A. To be eligible to accept donated hours, the employee receiving the donation must have exhausted all of his/her eligible to be used accrued paid leave, including sick leave, vacation, and personal/casual days.
- B. Donating employees must notify the Human Resources Department in writing, specifying the co-worker, the amount of vacation to be donated, and the date of the donation. Once the notification has been submitted to Human Resources, the donation may not be retracted.
- C. The transfer of hours from the donating employee represents a straight exchange of hours, not pay. Donated vacation hours will be accounted for in one (1) hour increments and will be paid at the wage rate of the employee receiving and using the donated hours as catastrophic leave hours. Employees using the donated vacation hours shall be compensated at the rate of pay that they receive when using their accrued sick leave. Donated vacation time shall not be considered as paid time worked by the employee receiving the donated time, and all County policies regarding unpaid leave of absences (such as accrual of benefits, employee/employer insurance premium contributions, etc.) shall be applicable.
- D. Donated time will be applied to the co-worker in order of receipt. Any unused portion of donated vacation will be returned to the donating employees in the reverse order in which it was donated, with the most recent donation being the first returned.
- E. Donations may only be used to extend an employee's paid leave status for a maximum period of twelve (12 weeks) during any rolling twelve (12) month period, or the period of comparable time that the current family member's illness would be considered FMLA protected. Donations will be applied on the same basis as the employee was regularly scheduled to work at the time of the catastrophic event (e.g., 8 hours per regularly scheduled work day if a full-time employee).
- F. The County's obligation is limited to accounting for donated vacation leave and converting such leave into catastrophic leave for receiving employees, provided the Human Resources Department was properly notified in writing. Donations are totally voluntary, and as such shall not be solicited by the County.
- G. If a non-bargaining employee wishes to receive or voluntarily donate accrued vacation

time for use as catastrophic leave to or from a bargaining employee, the provisions of the labor agreement covering the bargaining employee with respect to catastrophic illness donations shall govern the donation procedure if different than that provided above.