

O. SHORT TERM DISABILITY a.k.a. SICK LEAVE

GENERAL POLICY

It is the policy of Scott County to provide short term disability leave, commonly known as sick leave benefits, for regular employees who are unable to work due to illness or injury, subject to the limitations specified in this policy. The sick leave program is designed to provide employees with two benefits: (i) available paid leave for a reasonable amount of short-term disability or illnesses, and (ii) provide a savings bank of time to ensure available paid leave before reaching the qualifications for long-term disability or illnesses.

SCOPE

This policy is applicable to the following:

All employees responsible to the Scott County Board of Supervisors;

All employees responsible to a county elected office holder with the exception of the elected office holder themselves and Deputies;

All Deputies provided the appropriate elected office holder and the Board of Supervisors have certified its applicability;

All employees not directly responsible to either the board of Supervisors or an elected office holder and whose governing body and the Board of Supervisors have certified its applicability.

Whenever the provisions of this policy are in conflict with the Code of Iowa, or with a collectively-bargained agreement between the County and a certified bargaining unit, the provisions of the collectively-bargained agreement and/or the Code of Iowa will prevail.

ACCRUAL

Regular full-time employees and regular part-time employees who are scheduled to work 1,040 hours or more annually, are eligible to accrue in an amount equivalent to thirteen (13) days per year, based on their percentage of full-time employment.

For employees assigned to a standard schedule, sick leave accrues at the rate of four (4) hours per pay period.

For employees assigned to variable work schedules, including twelve (12) or twenty-four (24) hour schedules, sick leave accrual is calculated based on the employee's regularly scheduled annual work hours. For accrual purposes, a standard full-time work year is defined as two hundred sixty (260) workdays, calculated as fifty-two (52) weeks multiplied by five (5) workdays per week. One sick leave day is calculated by dividing annual

scheduled hours by two hundred sixty (260) workdays. Eligible employees accrue the equivalent of thirteen (13) sick leave days per year, converted to hours based on the employee's assigned schedule.

Examples:

12-hour shift schedule

2,184 annual hours / 260 days = 8.4 hours per sick leave day

13 days x 8.4 hours = 109.2 sick leave hours per year or 4.2 hours per pay period

24-hour shift schedule

2,912 annual hours / 260 days = 11.2 hours per sick leave day

13 days x 11.2 hours = 145.6 sick leave hours per year or 5.6 hours per pay period

Temporary and seasonal employees and cooperative students are not eligible to accrue sick leave benefits.

Regular employees who are in non-pay status for more than one-half their scheduled hours in an accrual period will not accrue sick leave for that period.

Sick leave will accrue without limitation. Officially designated County holidays falling within the period of an employee's approved sick leave will not be charged against the employee's sick leave account.

WELLNESS DAY

Regular full-time employees who are in active pay status for thirteen full consecutive pay periods, and who achieve a record of zero sick or sick/FML leave usage during this period, will be entitled to a one vacation day or Wellness Day. The use of up to six hours of sick or sick/FML leave during such a thirteen pay period measurement period will not disqualify an employee from receiving a Wellness Day

Eligibility for the Wellness Day is earned upon completion of the thirteen-pay period measurement period. The Wellness Day, equal to the employee's regularly scheduled work hours for their position, will be credited to the employee's vacation leave account in the pay period immediately following the completion of that measurement period.

USAGE

Sick leave shall accrue from the date of appointment to a benefit-eligible position. Use of sick leave shall be extended by the County for proper cause and concern for the employee's future welfare. It is not an inherent right of the employee to use accrued sick leave. As such, identifiable misuse of sick leave shall be just cause for not extending this benefit, and abuse shall be just cause for disciplinary action, up to and including dismissal.

Sick Leave Abuse means misrepresentation of the actual reasons for charging an absence to sick leave, and may include chronic, persistent, or patterned use of sick leave. Indications of sick leave abuse may include but are not limited to the following:

1. Repeated use of sick days the day before, or the day after, regularly scheduled days off.
2. Repeated use of sick leave the day before, or the day after, a Holiday.
3. Repeated call offs for illness on Holidays for which the employee is scheduled to work.
4. Repeated use of sick leave on the same day of the week, or month.
5. Patterned use of sick leave on, or the day after, payday.
6. An employee's use of most or all of his/her earned sick leave, unless obvious mitigating circumstances are present.
7. Visual observation of an employee's activities while on sick leave which indicates that he/she is not using sick leave properly; such as recreating or attending social functions.

Sick leave may be used only with the permission of the employee's duly authorized supervisor. The employer may determine that requested sick leave is chargeable to Family Medical Leave entitlement. Employees shall notify their supervisor that they will be unable to work before their regular workday begins, pursuant to specific departmental rules concerning deadlines for such notification. Failure to provide adequate notification will be considered grounds for denial of sick leave benefits.

Sick leave accruals may be used for the following reasons:

1. Personal illness or injury which renders the employee unable to perform the duties of his/her position;
2. Serious illness of a member of the employee's immediate family, necessitating the employee to be in attendance or whose contagious disease would cause the employee's presence at work to jeopardize fellow employees. (Immediate family shall be defined as including spouse, child, parent, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother, sister, brother-in-law, sister-in-law, grandparent, grandchild or legal ward);
3. Medical, dental or optical appointments which cannot be scheduled during non-working hours.

Sick leave will not be granted in the event of absence resulting from illness or injury brought about by the performance of duties on behalf of an employer other than Scott County.

Employees cannot access sick leave hours not yet accrued, accrued hours are those that were listed on the employee's preceding payroll check.

PAYOUT OF SICK LEAVE ACCRUAL ON TERMINATION OF EMPLOYMENT

An employee shall be eligible for sick leave payout upon separation due to retirement if the employee retires in accordance with the provisions of the Iowa Public Employees Retirement System (IPERS) and applies for retirement benefits. In the event of an employee's death, any sick leave payout otherwise payable under this policy shall be paid to the employee's estate.

For those employees hired **prior to July 1, 2000** the employee may choose between option A or B below.

Option A - fifty percent of the employee's accumulated sick leave hours in excess of seven hundred and twenty hours and up to a maximum of one thousand six hundred and eighty hours. In no event shall payment exceed 480 hours (1680-720=960; 50% of 960=480).

Option B - twenty five percent of the employee's accumulated sick leave hours up to a maximum of one thousand six hundred and eighty hours. In no event shall payment exceed 420 hours. (25% of 1,680=420).

For those employees hired **after July 1, 2000**:

Twenty five percent of the employee's accumulated sick leave hours up to a maximum of one thousand six hundred and eighty hours. In no event shall payment exceed 420 hours. (25% of 1,680=420).

In the event an employee had worked in a part-time position, during County employment, the 720 and 1,680 hours addressed above shall be pro-rated to reflect the FTE level. An example is found below:

<u>Full-Time</u>	<u>Part-Time (.50 FTE)</u>
1,680 - 720 = 960	840 - 360 = 480
50% of 960 - 480 hrs	50% of 480 - 240 hrs

Any payment of unused sick leave hours shall be calculated on the basis of any employee's actual regular earnings (excluding overtime pay) in effect at the time of the payout.

The above payout provision shall not apply to any sick leave hours accrued by an employee while serving as a Deputy to an elected office holder. If an employee is promoted or transferred into a Deputy position, his/her sick leave accruals shall be frozen on the effective date of such promotion or transfer for the purpose of calculating a future payout of sick leave accruals. A Deputy may accrue and use sick leave benefits while in a Deputy capacity, however, additional accruals earned while working in a Deputy capacity shall not be included in the calculation of a sick leave payout upon retirement or death of the employee.

Elected office holders are not eligible to accrue sick leave under this policy, and would therefore not be eligible for a payout of unused accruals, except for those accruals earned as a County employee prior to being elected.

Except as provided in this section, an employee shall not otherwise be entitled to a payout of unused sick leave accruals upon termination of employment.

ADMINISTRATIVE PROCEDURES

1. Prior to approving sick leave benefits, the department head may require an employee to furnish a doctor's statement, and/or other relevant information certifying the necessity of absence.
2. Department heads are responsible for insuring that all sick leave hours as reflected by payroll records are accurate.