

Policy:

It is the policy of Lee County to provide employees with appropriate time off due to illness under certain conditions. Eligible employees accrue paid sick leave and may take time off as necessary due to illness.

401:1 GENERAL

1. Paid sick leave will accrue according to the following schedule:
 - a) Regular Employees, in Board-approved Positions –
 - i) Regular full- and part-time employees normally scheduled to work at least twenty (20) hours per week shall accrue five percent (5%) of the regularly scheduled biweekly hours for the position as hours of sick leave with pay per biweekly pay period. (For example, a 40-hour employee will accrue 4 hours biweekly; a 56-hour employee will accrue 5.6 hours biweekly; a 35-hour employee will accrue 3.5 hours.)
 - ii) Regular part-time employees hired prior to October 1, 2010 and assigned to Bridge Operations in the Department of Transportation shall be exempted from the twenty (20) hours per week scheduling requirement under 401:1(1)(a)(i) due to the nature of the work schedules for those operations.
 - iii) All other regular part-time employees scheduled to work less than twenty (20) hours per week do not accrue paid sick leave.
 - b) Supplemental Workforce –
 - i) Employees covered under the Supplemental Workforce Policy 309 shall not accrue, nor be granted, paid sick leave.
2. Sick leave is accrued on the last day in the pay period. It is recorded and available for use the first day of the following pay period. An employee must have active payroll status the first day of the following pay period to be credited for sick leave accrued during the previous pay period.
3. Sick leave with pay may not be taken prior to the time it is recorded and available for use. All available sick leave must be exhausted before using any bank time.
4. Sick leave accrual begins with the first pay period of regular full-time or part-time employment with the County. It may be used as soon as it is recorded.
5. Sick leave may only be used for the illness of the employee, an illness in the employee's immediate family (spouse, child or parent), necessary medical appointments and treatments, injury, disability, pregnancy or quarantine by health authorities or a physician. Medical certification will be required for a serious health condition as described in the Family & Medical Leave Act.
6. For any sick leave taken, employees may be required to supply proof of illness, injury, or disability by submitting, at their own expense, a physician's statement. Failure to provide such documentation may result in corrective action and the leave being unpaid.

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- The County may, at its choosing and expense, require an employee to get a second or third medical opinion. The cost of second and/or third opinions will be paid by the requesting department.
- 7. Employees may be required to report to Employee Health Services after returning from sick leave before being allowed to return to work.
- 8. No limit is placed upon the number of sick leave hours that may be accumulated for use by any employee.
- 9. For payroll purposes, sick leave is used from currently accrued balance before banked hours can be used.
- 10. Once an employee has used all of his/her accrued sick leave, he/she must use other available paid leave.

401:2 SICK LEAVE POOL

1. A voluntary sick leave pool has been established to provide limited additional sick leave benefits in case of serious personal illness or injury. Use of leave from the pool requires the employee to use all other available paid leave he/she has accrued (sick leave, vacation leave, and compensatory time off). A committee of employees volunteering to serve two-year terms will administer this pool.
2. Sick Leave Pool Participation Requirements - An employee must:
 - a) Be a regular, benefits-eligible full- or part-time employee (part-time employees benefits, donations, and requirements will be pro-rated);
 - b) Donate eight (8) hours leave annually during a specified open-enrollment period, and if the bank falls below a designated safety level must contribute additional hours in order to continue participation or opt out until the next open-enrollment period;
 - c) Have a sick leave balance of at least eighty (80) hours at the time of initial pool enrollment in order to participate in the annual program;
 - d) Be an employee in good standing that has not abused any leave privilege; and
 - e) Agree to all terms and conditions set forth in this policy and by the sick leave pool administration committee.
3. Sick Leave Pool Restrictions
 - a) All sick leave donated to the pool is subtracted from the employee's current balance and becomes the property of the sick leave pool (and will not be returned nor paid out if the employee discontinues participation or ends his/her employment relationship with Lee County);
 - b) Employees will be provided the opportunity to participate in the pool during the County's annual open enrollment for benefits;
 - c) Sick leave pool hours can be used only for the participating employee's own serious health condition or injury, and must be taken consecutively without interruption (pool hours may not be used for intermittent leave);
 - d) The Department of Human Resources will determine if an employee's condition/circumstances qualify according to leave pool requirements;

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- e) Hours from the pool will only be released on a biweekly basis not to exceed the normal working schedule of the participating employee;
- f) Employees must use all available paid leave (sick leave, vacation leave and compensatory time off) before using sick leave pool hours;
- g) The maximum allowed single event usage will be two hundred forty (240) hours, or six (6) normally scheduled weeks, based on hours available and approved by the sick leave pool committee;
- h) The maximum usage in any ten-year period shall not exceed four hundred eighty (480) hours, or twelve (12) normally scheduled weeks; and
- i) Other restrictions and provisions may be imposed by the sick leave pool administrators with the approval of the Director of Human Resources, or designee.

4. Sick Leave Pool Administration

- a) Requests for sick leave pool dispersal will be coordinated through the Department of Human Resources and assigned a number in order to conceal the identity of the employee from the pool committee;
- b) The sick leave pool shall be administered by a group of employees (consisting of at least three members) volunteering for terms to be determined in length by the sick leave pool administration committee;
- c) All decisions of the sick leave pool administrators are final; and
- d) The sick leave pool administrators shall have the power to create additional rules and requirements for participation not spelled out in this policy subject to the approval of the Director of Human Resources.

5. Sick leave pool viability will be determined by the voluntary donation of leave to the pool.

401:3 SICK LEAVE BUY-BACK

1. Each year the Buy-Back program is approved for funding, employees who have two hundred (200) hours or more of accumulated, unused sick leave shall be eligible to sell back to the Board of County Commissioners any sick leave in excess of two hundred (200) hours which has been accrued, recorded, and available for use, but not used during the current fiscal year.
 - a) For employees with six (6) or more years of current, consecutive service under the Board of County Commissioners, the payment for the annual buy-back will be calculated at the rate of fifty percent (50%) of the current hourly base rate for the employee times the number of hours sold.
 - b) For employees with less than six (6) years of current, consecutive service under the Board of County Commissioners, the payment for the annual buy-back will be calculated at the rate of twenty-five percent (25%) of the current hourly base rate for the employee times the number of hours sold.
 - c) Sick leave that is not paid out on an annual basis may be accumulated for future use, but will not be available for payout in subsequent years or upon separation.

401:4 SEPARATION OF EMPLOYMENT

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1. Employees who leave the employment of the County shall receive any sick leave accrued and unused in the current fiscal year in excess of two hundred (200) accumulated hours, and any hours banked prior to October 8, 1998 at the Buy-Back rate defined in 401:3, Sick Leave Buy-Back.
2. Employees of the County hired prior to October 8, 1998, upon the separation of employment, will be paid available sick leave accrued prior to that date at the rate of fifty percent (50%) of the current hourly base rate for the employee times the number of hours sold.
3. An employee leaving Lee County to work for another FRS employer that allows limited transfer of sick leave may elect not to have all sick leave bought back upon separation of employment with the County.
 - a) It is the responsibility of the employee to inform the Department of Human Resources and the Payroll Office in writing of any intent to have sick leave transferred to another FRS employer prior to separation of employment with the County. The employee is also responsible for obtaining and filling out any paperwork needed for such transfers.
 - b) Failure to notify the Payroll Office and/or failure to have completed the necessary paperwork in sufficient time prior to leaving employment with the County may result in all sick leave being paid out at the appropriate rate and no accrued sick leave being transferred to the new FRS employer.
 - c) It is solely the responsibility of the employee to find out if another FRS employer allows for sick leave transfer and the amount that may be transferred. This practice varies widely among FRS employers and the County will not make inquiries for employees regarding the transfer of leave to another FRS employer.
 - d) Lee County does not accept accrued sick leave transferred in from another FRS employer.