

POLICY 401: SICK LEAVE

ADOPTED: AUGUST 3, 1988 (REVISED: JUNE 7, 2022)

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 308 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 (minor or adult), parent, guardian, employee's spouse's child, parent, guardian) 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.

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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.

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. No limit is placed upon the number of sick leave hours that may be accumulated for use by any employee.
8. For payroll purposes, sick leave is used from currently accrued balance before banked hours can be used.
9. Once an employee has used all of his/her accrued sick leave, he/she must use available vacation 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). Human Resources will administer this pool.
2. Sick Leave Pool Participation Requirements:
 - a) Sick Leave Pool is only available to regular, benefits-eligible full- or part-time employees (part-time employee's benefits, donations, and requirements will be pro-rated);
 - b) At the discretion of Human Resources, participants may be required to donate eight (8) hours leave annually 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 available donation period as established by the Human Resources Director or designee.
 - c) Possess a sick leave balance of at least forty (40) hours at the time of initial pool enrollment (only) in order to participate in the annual program;
 - d) Be an employee in good standing that has not received a corrective action for any attendance and/or punctuality related matter in the year prior to requesting usage of sick pool hours; and

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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 or at the discretion of the Human Resources Director if outside of the annual open enrollment period;
- c) Sick leave pool hours shall be used only for the participating employee's own serious health condition or injury (FMLA certification is not a requirement to utilize Sick Leave Pool hours), and should be taken consecutively without interruption (pool hours may be used for intermittent leave if approved by the Human Resources Director or designee);
- d) The Department of Human Resources will determine if an employee's condition/circumstances qualify according to leave pool requirements;
- 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) 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 Human Resources Director or designee;
- h) The maximum usage in any five-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 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;
- b) The sick leave pool shall be administered by Human Resources;
- c) All decisions of the Director of Human Resources are final; and
- d) The Director of Human Resources shall have the power to create administrative/procedural rules and requirements for participation not spelled out in this policy.

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

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401:3 SICK LEAVE CONVERSION

1. Effective October 1, 2022, and annually thereafter, employees shall be eligible to convert and utilize up to three (3) accrued but unused sick leave days into up to three (3) vacation leave days to be utilized in accordance with Lee County Policy 402: Vacation Leave.

401:4 SEPARATION OF EMPLOYMENT

1. Employees who leave the employment of the County shall receive payment, at the percentage rate(s) defined below for any sick leave accrued and unused in the current fiscal year in excess of two hundred (200) accumulated hours at the employees' current hourly rate.
 - a) For employees with six (6) or more years of consecutive service under the Board of County Commissioners, the payment shall be calculated at the rate of fifty (50%) percent of the current hourly base rate for the employee.
 - b) For employees with less than six (6) years of consecutive service under the Board of County Commissioners, the payment shall be calculated at the rate of twenty-five (25%) of the current hourly base rate for the employee.
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.

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- 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.